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1
                    IN THE UNITED STATES DISTRICT COURT
                       FOR THE DISTRICT OF MARYLAND
 2
                            NORTHERN DIVISION
     UNITED STATES OF AMERICA,
 3
          Plaintiff,
 4
                                    CRIMINAL CASE NO. CCB-16-0267
          vs.
 5
     DANTE BAILEY, et al.,
          Defendants.
 6
 7
 8
                        Wednesday, March 20, 2019
                             Courtroom 1A
 9
                          Baltimore, Maryland
10
11
             BEFORE:
                      THE HONORABLE CATHERINE C. BLAKE, JUDGE
                      (AND A JURY)
12
13
                                 VOLUME II
14
     For the Plaintiff:
15
     Christina Hoffman, Esquire
     Lauren Perry, Esquire
16
     Assistant United States Attorneys
17
     For the Defendant Dante Bailey:
18
     Paul Enzinna, Esquire
     Teresa Whalen, Esquire
19
20
21
22
                                Reported by:
23
                     Douglas J. Zweizig, RDR, CRR, FCRR
                      Federal Official Court Reporter
24
                     101 W. Lombard Street, 4th Floor
                        Baltimore, Maryland 21201
25
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1
     For the Defendant Randy Banks:
 2
     Brian Sardelli, Esquire
 3
     For the Defendant Corloyd Anderson:
 4
     Elita Amato, Esquire
 5
     For the Defendant Jamal Lockley:
 6
     Harry Trainor, Esquire
 7
 8
     For the Defendant Shakeen Davis:
 9
     Paul Hazlehurst, Esquire
10
     For the Defendant Sydni Frazier:
11
     Christopher Davis, Esquire
12
13
     Also Present:
14
15
     Special Agent Christian Aanonsen, ATF
16
17
18
19
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21
22
23
24
25
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1
                          PROCEEDINGS
 2
          (10:12 a.m.)
                        Good morning, everyone.
             THE COURT:
 3
             Are we planning to continue with the testimony of the
 4
 5
     Special Agent?
 6
             MS. HOFFMAN: We are, Your Honor.
             THE COURT: All right. Why don't you go ahead and
 7
     take the stand, sir, and we'll get the jury in.
 8
             MR. ENZINNA: Your Honor?
 9
             THE COURT: Yes?
10
11
             MR. ENZINNA: Before the jury comes in --
             THE COURT: Well, okay. They're about to walk in the
12
13
     door.
             MR. ENZINNA: Okay. Then I'll just wait until it
14
15
     comes up during the witness. We can approach --
16
             THE COURT:
                         Okay.
17
             MR. ENZINNA: -- if it comes up.
             MR. DAVIS: Good morning, Your Honor. I just wanted
18
19
     to tell the Court that that will not happen again, what
20
    happened today. I took the MARC train, which I will never do
21
     in the morning again. I'll continue to take Amtrak for $9
     extra, but it's worth it. You actually get here.
22
23
             THE COURT: Okay.
24
          (Jury entered the courtroom at 10:14 a.m.)
25
             THE COURT: All right. Welcome back, ladies and
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gentlemen.
 1
              THE CLERK: Special Agent Aanonsen, I remind you
 2
     you're still under oath.
 3
              THE WITNESS: Yes, ma'am.
 4
 5
          SPECIAL AGENT CHRISTIAN AANONSEN, GOVERNMENT'S WITNESS,
 6
     PREVIOUSLY SWORN.
 7
              THE COURT:
                         All right, Ms. Perry.
              MS. PERRY: Thank you, Your Honor.
 8
                      DIRECT EXAMINATION (CONTINUED)
 9
     BY MS. PERRY:
10
11
     Q.
          Good morning.
12
         Good morning.
          I believe that when we left off, we were discussing an
13
     individual who is depicted in IND-32, which I'm pulling up on
14
15
     the screen.
16
          Can you remind us who this is.
17
          It's Sydni Frazier.
18
          I'm now going to show you Government's Exhibit SM-20,
19
     Page 1 of SM-20. Page 1 of SM-20.
20
          (Counsel conferred.)
21
              MS. PERRY: Your Honor, may we approach briefly?
22
              THE COURT:
                         All right.
23
          (Bench conference on the record:
              MS. PERRY: Your Honor, I spoke to counsel about this
24
     yesterday. And with respect to the social media exhibits, I
25
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explained that I would happily provide them the exhibit identification number and the page of the exhibit and give them a moment to get to that page before I displayed it on the screen, which I have no problem doing.

However, the exhibits are marked by the page number of the exhibit and not by the page number displayed on the individual record. And I'm happy to make a record of what the page number of the record is, but I cannot do that without pulling up the exhibit first.

And so Mr. Enzinna just asked me to give him the page number of the Facebook report, and I'm unable to provide that without pulling up the exhibit.

So I just wanted to be perfectly clear about what we have the capacity to do.

MR. ENZINNA: The problem is the exhibits do not have page numbers on them. What she's referring to is a page -- what Ms. Perry is referring to is a page number within the PDF file on the disc that they're using to show the documents. I don't have that.

I have the hard copies of exhibits. They don't have page numbers on them. What they do have is they have a page from Instagram. Like, for example, the first page of Exhibit 20 is Page 4 from Instagram. That apparently corresponds to Page 1 of the PDF. So the difficulty is that we can't make the connection.

```
And the solution is?
 1
              THE COURT:
              MR. ENZINNA: I don't know the solution.
 2
              MS. HOFFMAN: I have a solution. So we turned them
 3
     over in electronic form. So if you pull up the PDF, you can
 4
 5
     just type in the page number and it will come right up.
              MR. ENZINNA: But I'm also concerned about the record
 6
     in this case.
 7
              THE COURT: But the record is going to be taken care
 8
     of by her citation to the page once the thing is on the screen.
 9
              We're kind of in an electronic age here. Some of us
10
11
     are better at it than others, but you have it on a disc that
    you could pull up and you would know.
12
              MR. ENZINNA: Well, part of the problem is -- two
13
     problems. One is I do not have that disc here in the
14
15
     courtroom. Maybe another one of the defense counsel does.
16
              The other problem is there's just a huge number of
17
     these exhibits between iCloud and social media.
              So what I have -- and the iCloud and the social media
18
     exhibits are on two different discs. So if they switch between
19
20
     iCloud and social media, we'd have to switch between the discs.
              So I'd spoken with Ms. Hoffman last night, and I
21
22
     dragged all the iCloud exhibits to my desktop. So hopefully
     that will make it easier to do.
23
24
              THE COURT:
                          Okay.
              MR. ENZINNA: But right now what I need to do is find
25
```

```
a copy of the disc.
 1
              MR. DAVIS: I'm assuming this is because Frazier is
 2
     coming up and you're going to go into some social media
 3
     documents. Anything you're going to bring up I'd say I have;
 4
 5
     correct?
 6
              MS. PERRY:
                          Yes.
              MR. DAVIS: Are you guys still using the little kids
 7
     with the "Don't snitch," talking to the police officers?
 8
              MS. PERRY: At this point, with this witness, I do not
 9
     intend to show that page.
10
11
              MR. DAVIS: Okay. So I've seen everything else.
12
              Okay.
                     Thank you.
13
              THE COURT:
                          Great.)
          (Bench conference concluded.)
14
15
          (Pause.)
16
              THE COURT: Are we ready to go ahead?
17
     BY MS. PERRY:
18
          Now, showing you SM-20, the first page of SM-20.
              MR. ENZINNA: It's loading right now.
19
20
     BY MS. PERRY:
21
          And looking here at Page 1, of this Instagram business
22
     record, can you tell us what is the e-mail that is registered
23
     with respect to this Instagram business record?
          Lilsid5200@yahoo.com.
24
25
          And looking up here at the name, can you tell us what name
```

- 1 | is associated with this Instagram account.
- 2 A. YoungG.O.D.
- 3 Q. And the vanity name associated with this Instagram
- 4 account?
- 5 A. Rip bigsidnbarakaat.
- 6 Q. Agent Aanonsen, did you review the Instagram business
- 7 | records returned that are part of SM-20?
- 8 A. Yes.
- 9 **Q.** And was there a particular individual who was prominently
- 10 | featured in SM-20?
- 11 **A.** Yes. Sydni Frazier was prominently featured in the
- 12 | contents of this account.
- 13 Q. And did you form a belief as to who was operating this
- 14 account?
- 15 **A.** Yes. Based on that, we believed it was operated by
- 16 | Sydni Frazier.
- 17 **Q.** In addition to the photographs contained in SM-20, were
- 18 there any other reasons that you believe this was operated by
- 19 Mr. Frazier?
- 20 | A. Yes, the registered e-mail, Syd and 5200.
- 21 Q. So I would like to turn to Page 69 of SM-20.
- 22 Can you tell us, first of all, what we're looking at here
- 23 | just generally.
- 24 **A.** It's Page 673 of an Instagram business record.
- 25 | Q. And does it appear to be a screen capture of a tweet?

1 Α. Yes. And what is the handle or the name that this tweet is 2 under? 3 Jr. Boss with dollar signs for S's. 4 Α. 5 And under Jr. Boss, what does it say? Q. @SidFrazier. 6 Α. 7 And can you tell us the content of this particular tweet. Q. [Reading]: You can be here today, gone any minute. 8 That's why I just pray, thank God that I'm living. I do it 9 4 da hood, whole mob riding with me. 10 11 Turning now to Page 60 of SM-20. 12 And looking here --13 MR. ENZINNA: Your Honor, I do have an objection to this. 14 THE COURT: 15 All right. Come on up. 16 (Bench conference on the record: 17 **THE COURT:** What is it that we were about to go to? MS. PERRY: Your Honor, it is a -- and I apologize; I 18 didn't bring a copy of it up with me. 19 20 It is a status that is posted within the Instagram account which says, in sum and substance: If someone's coming 21 at me, I have to handle it with emojis of two guns. 22 23 THE COURT: Okay.

MR. ENZINNA: Ms. Whalen is getting the exhibit.

This is just the social media exhibits. The only way

24

```
I can find it here is by counting the pages.
 1
              This is not the specific page, but it's an example of
 2
     what my objection is. If you look at this page -- and this is
 3
     Page 526 of the business record. You'll see that --
 4
 5
              THE COURT:
                         I'm looking at Page 526 of the Instagram
    business record.
 6
              MR. ENZINNA: This is Exhibit 20 -- SM-20.
 7
              THE COURT: Out of SM-20.
 8
              MR. ENZINNA: And you'll see that here in red -- there
 9
     are two red boxes.
10
11
              THE COURT:
                         Yes.
              MR. ENZINNA: In the first red box, you'll see it says
12
13
     [reading]: Had a MF, square, square, #facts.
              And then below that there's another red box with a
14
15
    picture of a rocket ship pointing up towards that.
16
              THE COURT: Yes.
17
              MR. ENZINNA: This is what the agent testified about
    yesterday.
18
              But the business records came with these blank squares
19
     and that they added these.
20
21
              THE COURT: Red, right.
              MR. ENZINNA: So basically what he said was that they
22
23
     altered these records. And I think we need to know what -- how
     that -- what that process involved. I mean, what they're
24
     claiming is that that's part of this business record, but it
25
```

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was not.
 1
              THE COURT: I thought it was fairly clear, unless
 2
     you're saying that you think that the rocket ship was added,
 3
     but they didn't alter it -- is the rocket ship added?
 4
 5
              MS. HOFFMAN: So, Your Honor, the way that these
     records are returned, the emojis don't show up in the PDF.
                                                                  Ιf
 6
 7
     you copy and paste them into a Word document, the emojis
     appear. So they're coded for the emojis. They just don't show
 8
     up in the --
 9
              THE COURT: Right. He explained that. The emojis
10
11
     were in the original.
12
              MS. HOFFMAN: Yes.
13
              MS. PERRY: That is correct.
              THE COURT: Okay. Then I'm going to overrule the
14
15
     objection.)
16
          (Bench conference concluded.)
17
     BY MS. PERRY:
          So turning your attention --
18
              THE COURT: Go ahead.
19
20
     BY MS. PERRY:
21
          -- back to SM-20, Page 60, can you tell us what the text
     is here on the top of the screen or in the middle of the
22
23
     screen.
          [Reading]: What you going to do when an "N" word run up
24
     on ya gotta let him have it.
25
```

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And then there's emojis for, like, two pistols and a sad 1 2 smiley face. Now, Agent Aanonsen, before I turn to the other -- some of 3 the other individuals who may come up or who came up over the 4 5 course of your investigation, I want to go back to one of the 6 videos that you described yesterday that was contained on the 7 disc YT, 1 through 15. I want to specifically talk about YT-14. 8 Did YT-14 contain an interview of sorts? 9 Yes, it did. 10 Α. 11 So I would like to pull up --MS. PERRY: Before I do that, I would, if 12 13 Your Honor -- I would like to hand out transcript binders to the jurors at this point. 14 THE COURT: Transcript binders. Okay. And this 15 16 particular exhibit is a YouTube? 17 MS. PERRY: Yes, Your Honor. There is a -- YT-14 is a video contained on the disc containing YouTube videos. 18 19 contains a portion of an interview that has been transcribed to

assist the jurors.

20

21

22

23

24

25

THE COURT: Okay. All right. Preliminarily, let me advise you, ladies and gentlemen, the transcripts which will be handed out to you by the Government are an aid. It's a guide. It's to help you understand the evidence, which is the actual interview.

```
So to be clear, you should listen carefully to what
 1
     you hear on the interview as well.
 2
              What you hear controls. So if you hear something
 3
     different from what's on the transcript, then what you hear
 4
 5
     controls.
              But the transcripts are just to help you in listening
 6
     to the recorded interview.
 7
              MS. PERRY: And if I may, Your Honor, I just would
 8
     like to point out that the binders that we are asking to pass
 9
     out contain a number of other transcripts, but I'm just going
10
11
     to ask them to look at one specific one at this point.
12
              THE COURT: Yes.
                                Thank you.
13
              There's a temptation when you get a binder of records
     to start leafing through it. Please don't. Just look at the
14
15
     ones that you're being specifically directed to which at the
16
     moment will be only YT-14.
17
              MS. PERRY: YT-14-T is how it's labeled, thank you.
              THE COURT: YT-14-T.
                                    Thank you.
18
          (Pause.)
19
                         Do you happen to have one for me?
20
              THE COURT:
              THE CLERK:
                         (Handing.)
21
                          So for the members of the jury, the
22
              MS. PERRY:
23
     transcript begins in the YouTube section on Page 32.
              I'm going to skip to approximately a minute and 20
24
     seconds into YT-14, and that transcript portion begins about
25
```

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```
halfway down on Page 32.
 1
          (Video was played but not reported.)
 2
     BY MS. PERRY:
 3
          I'm going to pause it right here for a moment.
 4
 5
          Agent Aanonsen, do you recognize anyone depicted in this
     particular video?
 6
 7
                In the foreground in the center is Dante Bailey with
     a white tank top on.
 8
          To his left is Jamal Lockley with a white T-shirt on.
 9
          In the background on the right in the white T-shirt is
10
11
     Dwight Jenkins.
          And was Dwight Jenkins an individual who was the subject
12
13
     of your investigation?
                We knew Dwight Jenkins, a/k/a Unc, a/k/a Huggie.
14
     Α.
15
     was also a subject of our investigation.
16
          We'll come back to Mr. Jenkins in a little while. But for
17
     now, I'm going to play a portion of this video.
18
          (Video was played but not reported.)
     BY MS. PERRY:
19
20
          I'm going to stop it right there.
21
          Agent Aanonsen, I want to turn your attention now to an
     exhibit that I marked as Government's Exhibit IND-53.
22
23
              THE COURT: And should we close up the transcript
     books for now?
24
25
              MS. PERRY:
                                Thank you.
                          Yes.
```

BY MS. PERRY:

- 2 Q. Turning to IND-53, can you tell us who this is.
- 3 A. That's Dontray Johnson, a/k/a Bino, a/k/a Gambino.
- 4 Q. Now, I'm going to turn back to the iCloud account you
- 5 described yesterday as belonging to Mr. Bailey and show you
- 6 Government's Exhibit IC-35.
- 7 Looking, first, at IC-35, Agent Aanonsen, was this the way
- 8 that this appeared in the business record returned for the
- 9 iCloud account?
- 10 **A.** Yes.
- 11 Q. Was it altered in any way?
- 12 **A.** No.
- 13 Q. And so the writing that we see on this particular
- 14 | photograph was as it was received by you?
- 15 A. That's correct.
- 16 Q. So looking at IC-35, can you tell us who is in the photos
- 17 | in the top right corner.
- 18 A. The top right corner photo, all the way in the far right
- 19 | with the Gap zipper-up hoodie on is Dontray Johnson. In the
- 20 | red T-shirt is Dante Bailey. And off to his right is
- 21 Randy Banks.
- 22 Q. And what about the other photos on IC-35? Can you tell us
- 23 who's depicted in those.
- 24 A. Dontray Johnson.
- 25 **Q.** And looking at the photo directly in the center of IC-35,

- can you tell what Mr. Johnson is doing with his hands or describe what he's doing with his hands.
- A. His right hand is laden with a red bandana. His two
 pointer fingers are pressed together. Both his middle fingers
 are extending down, forming what appears to be an M.
- 6 Q. And what does the text in the middle of this exhibit say?
- 7 A. [Reading]: BINO-EMM\$ where the S is replaced with a dollar sign.
- 9 And it says [reading]: MISS U, BLEDREN.
- 10 Q. I'd like to show you now what is from the iCloud account as IC-110.
- Can you tell us, Agent Aanonsen, who's depicted in this particular photograph.
- A. Yes. In the left portion of the photograph is

 Dante Bailey wearing a black T-shirt that says "GMG."

 And on the right-hand side is Dontray Johnson.

17

18

19

20

21

22

23

24

- Q. Now, the right-hand side of the screen, I'm going to turn back for a moment to Government's Exhibit SM-6, which is the Instagram account from Dante Bailey that you described yesterday. And I'm going to turn to Page 46 of SM-6.
- So, again, my apologies, Agent Aanonsen. Turning back to IC-110 on the left-hand side of the screen and on the right-hand side of the screen SM-6, Page 46.
- And looking on the right-hand side of the screen on SM-6, can you tell us what we're looking at here.

It's a M in red bandana print. 1 Α. And across the top it says, "My Blood is My Honor." 2 I'm going to turn back to SM-1, which is the Facebook 3 Q. account belonging to Dante Great One that we were talking about 4 5 yesterday. And I'm going to turn to Page 4 of that particular exhibit. 6 7 MR. ENZINNA: Your Honor, may we approach? THE COURT: All right. 8 (Bench conference on the record: 9 MR. ENZINNA: Your Honor, I apologize. I don't want 10 11 to seem -- the difficulty is that every time they switch from one exhibit to another, I have to switch between different 12 13 files on the computer. And every time when I click on a new file, it takes 10 or 15 seconds to pull it up. 14 15 THE COURT: Right. 16 MR. ENZINNA: So it's just taking longer than I'm 17 getting. 18 THE COURT: Right. MR. ENZINNA: The other problem is I really think this 19 20 is going to come back down to us, it will be the jury, because 21 we look like we don't know what we're doing. 22 And the problem is not ours. The problem is it's the 23 way the exhibits are produced and the fact that we don't have advanced notice of it. 24

THE COURT: I thought you were here because you were

going to object to a specific exhibit.

MR. ENZINNA: No.

THE COURT: All right. This is the best situation that we can be in. And my understanding is all these exhibits were turned over some time ago and were turned over on discs. It was not unreasonable to expect you to be able to navigate the discs.

Ms. Perry is now waiting a number of seconds, which I don't see has any adverse implication to defense counsel. It's a professional courtesy. She's waiting a few seconds, which is appropriate.

MS. AMATO: Your Honor, I just wanted to say --

THE COURT: Exclude these exhibits because it takes a few minutes?

MS. AMATO: It is difficult. I had all of the discs put on to a thumb drive because I myself -- it's very difficult to have to take one thumb -- one disc out after another time.

But even that way, it's -- it is taking me time to actually find, first, the exhibit and the number and then to go to the page number.

So if there's like a two -- it's like a three-step process for us to figure out which disc it's on, although I've got them on one thumb drive, but separated into files of each disc, and then to locate the exhibit number and then to locate the page.

So I understand my brethren's frustration. 1 2 MR. ENZINNA: And it simply takes more than a few And I don't want to be in the position of having to 3 say every time, "Wait. I'm not there yet. Wait. 4 5 there yet, " when she's trying to go ahead. MS. HOFFMAN: Your Honor, I did want to put on the 6 7 record that we did turn these exhibits over on January 30th of this year, so it's been almost two months. Of course, the 8 information was turned over in discovery years ago, but the 9 actual exhibits were turned over on January 30th. 10 11 We had a similar -- I'll leave it there. THE COURT: As we've also discussed with that, I 12 13 assume that counsel reviewed discovery material and they've had the opportunity to file motions in limine. I haven't seen 14 15 anything yet particularly objectionable. So I don't understand what solution I'm being offered. 16 17 I think we have arrived at the most reasonable place we can, 18 and I'm going to overrule the objection. And we'll keep on 19 following this procedure. 20 MS. WHALEN: Your Honor, if I might, this is about 21 specific objections that I would like to make. 22 THE COURT: Yes. 23 MS. WHALEN: With regard -- and I notified the

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Government of these this morning.

With regard to Instagram 6 --

24

1 THE COURT: Okay. MS. WHALEN: -- there are -- well, this was raised. 2 But I just want to put this on the record, and then I'll move 3 to something more important. 4 5 You, I think, have ruled on this. But page -- this is the Instagram page number, not the PDF number. 79, 83, 97, 6 7 102 -- perhaps I should just put this in writing instead of making Your Honor write this down. And these are particular 8 objections to where the Government has had an agent adopt or 9 10 change like the little boxes that are empty and add -- and I 11 think Mr. Enzinna went over that this morning, so I will put that in writing 'cause that's done. 12 13 Instagram 7, we object to Page 143, which is a child in front of the 5200 sign that's kind of written on the wall 14 15 that we've seen before. 16 THE COURT: Okay. 17 MS. WHALEN: We object to -- there is a photograph, and I think it's Page 199, a photograph taken, it seems like, 18 19 by an individual in the gallery in a courtroom. And we believe 20 that under 403, that is unduly prejudicial. This jury may 21 think that someone's going to be taking pictures of them. 22 Page 452. 23 I'm sorry? THE COURT: MS. WHALEN: 452, this is still Instagram 7. There is 24

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a gentleman in a hospital bed and my client standing over him,

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and I don't know what it's relevant to. The timing of it is
 1
 2
     such that it doesn't seem to correspond with the evidence that
     we know of from the Government right now. And he's, you know,
 3
     wired up with life support.
 4
 5
              So those specific on Instagram 7.
              And I will endeavor to find some others to notify.
 6
 7
              THE COURT: Okay.
                                 Those specific ones I will ask that
     the Government not show until I've had a chance to look at them
 8
     and consider the objection.
 9
              And on the emojis, I think you covered this yesterday,
10
11
     but I want to make it clear with the Special Agent.
     understanding from the testimony yesterday is that the emojis
12
     were in the original document.
13
              MS. PERRY: That is correct.
14
              THE COURT:
15
                          Okay.
16
              MR. ENZINNA: Thank you.
17
              THE COURT: All right.)
          (Bench conference concluded.)
18
     BY MS. PERRY:
19
          Agent Aanonsen, I believe I was about to show you SM-1,
20
     Page 4, again, a page from the Facebook business record of
21
22
     Dante Great One that we discussed yesterday.
23
          Looking here in the portion with the red box in the top of
     the screen, can you tell us who this message is from.
24
          It's from Gambino.
25
     Α.
```

- 1 Q. And is Gambino a name that was familiar to you over the
- 2 | course of your investigation?
- 3 **A.** Yes. It was a name that Dontray Johnson went by.
- 4 Q. And who is the message to?
- 5 A. Dante Great One.
- 6 Q. What is the text?
- 7 A. [Reading]: Miss you, big bro. Can't wait. Tell you
- 8 shine heartbeat.
- 9 And the C is replaced with a K.
- 10 Q. Now, we see at the end of this message the word
- 11 | "heartbeat." Is that a term that came up over the course of
- 12 | your investigation on more than one occasion?
- 13 **A.** Yes. We heard it frequently used as a -- like a good-bye.
- 14 Q. And was there a typical response to the word "heartbeat"?
- 15 | A. Yes. Often they would get a response of "double time."
- 16 **Q.** Now, I will come back to this Gambino account in a few
- 17 moments. But sticking for a moment with SM-1 and turning to
- 18 | Page 8 of SM-1, starting with the box here, can you tell us who
- 19 this is from.
- 20 A. It's from Gambino.
- 21 Q. And who's it to?
- 22 A. Dante Great One.
- 23 **Q.** And what is the text?
- 24 A. [Reading]: What's mobbin'? Call me, bro.
- 25 **Q.** Now, I want to turn to SM-2, the first page of SM-2.

- What is the name associated with this Facebook business record?
- 3 A. Gambino.
- 4 Q. And can you tell us what the vanity name is.
- 5 **A.** Gbino2.
- 6 Q. And what are the e-mails this account is registered to?
- 7 A. Gbino2@facebook.com and johnson.dontray@yahoo.com.
- 8 Q. And based on this information and a review of SM-2, did
- 9 | you form a belief as to who was operating SM-2?
- 10 A. Yes. Based on the e-mail, the registered name, and the
- 11 | contents of the account, we believed it to be operated by
- 12 Dontray Johnson.
- 13 Q. Turning your attention to Page 37 of SM-2, can you tell us
- 14 who is depicted in this photograph.
- 15 **A.** The center of the photograph in the red shirt is
- 16 Dante Bailey.
- 17 To Dante Bailey's right, in the left of the photograph is
- 18 Dontray Johnson.
- 19 Q. And can you describe what Mr. Bailey and Mr. Johnson
- 20 appear to be doing with their hands.
- 21 A. Mr. Bailey has his pointer fingers pressed together, both
- 22 his middle fingers extended downward, and appearing -- making
- 23 | what appears to be an M. And Mr. Johnson is making a sign with
- 24 his hand.
- 25 **Q.** Turning your attention to SM-2, Page 87, and looking at

```
the message here at the top.
 1
          Who is the author of this message?
 2
          Gambino.
 3
     Α.
          And what is the body of the message?
 4
 5
     A.
          [Reading]: Hey, you still work at -- still work in the
     clothing store? By the way, this Gutta and Dirt, Little Bro.
 6
          And who is Gutta?
 7
     Q.
          Gutta is a street name for Dante Bailey.
 8
          And who is Dirt?
 9
     Q.
          Dirt is a street name for Randy Banks.
10
11
          Turning now to Page 88 of SM-2, looking at this message at
     Q.
     the top of the screen, who is the recipient of this message?
12
          Gambino.
13
     Α.
          And what is the body of the message?
14
          [Reading]: Bino, when I come back, am I mobbin' under
15
     Α.
16
     you?
17
          At this point I would like to jump back to the
     iCloud account that you described as belonging to Dante Bailey.
18
          And turn your attention to IC-126.
19
                          Your Honor may we approach briefly?
20
              MS. PERRY:
              THE COURT:
                          All right.
21
          (Bench conference on the record:
22
23
              THE COURT:
                          Yes?
              MS. PERRY: What I am about to show the witness is an
24
     exhibit.
                             It's a video that was contained on the
25
               It's IC-126.
```

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iCloud account of Dante Bailey. And it is a Flipagram video, so it contains a number of photographs that are put together in a sort of slideshow. There's writing over some of the photographs.

Yesterday -- and I don't mean to make the objection for them. But yesterday Ms. Whalen indicated that she objected to one of the photos contained within the slideshow as -- and that she had planned to object, and so I did not want to play the slideshow, having known that she planned to object to a particular portion of it, though I believe that portion is admissible.

THE COURT: Appreciate that.

MS. WHALEN: The photograph, as I understand it, is a picture of a hand with broken knuckles or bruised is a better word and a little bit of blood. And then there is some writing on the photograph that says something -- and I'm paraphrasing, "This is what happens when you take a nigger's gun."

And so -- and I don't believe there's any date specific to it. So our view is you can't tell whose it is; you can't tell what it's relating to; and that that kind of picture and that inference that somehow that is related to taking someone's gun without more is not relevant and is unduly prejudicial.

THE COURT: Okay. Tell me more about this video.

MS. PERRY: It is a slideshow put together, includes a

```
number of pictures of Mr. Bailey with writing. I believe the
 1
     writing says things like "52 MMP." There is a picture of
 2
    Mr. Bailey where he's -- a picture I've already shown of
 3
     Mr. Bailey making an M sign where he's written "Godfather"
 4
 5
     across the front of it.
 6
              There are other sort of Internet photos where there is
 7
     LaEMMs written on it. There are a couple of photographs where
     the writing says [reading]: These are the people I ride with.
 8
              And then there are photographs, including some members
 9
     of the gang where he's written "boss" next to the photographs.
10
11
              And so I think in context, the entirety of the
     slideshow is certainly probative.
12
13
              THE COURT: I'm just hearing this noise, echo.
    Ms. Moyé, is there any reason?
14
              It still should be muffled while the noise is still
15
16
     going over it.
17
              MS. PERRY: I don't plan to stop on this particular
     slide in the slideshow. It's just a portion of the slideshow
18
19
     that the testimony will be was created and on an iCloud account
     of Mr. Bailey and includes a reference to a qun which we'll
20
    have evidence of over the course of this case.
21
22
                          Okay.
                                 I'm going to overrule the
              THE COURT:
23
                 It seems to me there is certainly enough indicia
     objection.
     surrounding this that this is definitely a picture that
24
    Mr. Bailey chose to include in the slideshow on his
25
```

1 iCloud account.

MS. WHALEN: Your Honor, this is more of a "since we're here." I have counted -- and I am not the best on this, but I have counted 17 photographs between yesterday and today. And so this is sort of just background for a cumulative objection that we make.

Those photographs are of my client with several people or with himself -- or alone showing gang signs. I think there comes a point when enough is enough, and my view is anything over 17 is too much. So I raise that.

THE COURT: Sure. My concern, obviously, is for the efficiency of this trial. I do think we've seen an enormous number of M signs already. And if there's something that can be cut out --

MS. PERRY: I appreciate that, Your Honor. And I do intend to introduce some of the other members of the gang and some photos of them where Mr. Bailey is included in some of those photographs. I think the association between other members and Mr. Bailey are relevant.

But I do not intend to use as many photographs for any of the other individuals I'll be introducing as we did for those defendants in this case.

THE COURT: You're saying in general, there will be additional people with Mr. Bailey?

MS. PERRY: That is correct, new people.

```
1
              THE COURT:
                          New people.
 2
              MS. PERRY:
                          That is correct.
              THE COURT:
                          Okay.
 3
              MR. SARDELLI: Your Honor, I just -- for Mr. Banks,
 4
 5
     since he's had several as well, are there going to be any more
     for Mr. Banks?
 6
 7
                         Again, Mr. Banks is in other photos with
              MS. PERRY:
     other people who we were going to introduce as members of the
 8
 9
     gang and --
              MR. SARDELLI: Also, the signs, with making the M
10
11
     sign, that's what I'm specifically talking about.
                         Same ruling. Okay.
12
              THE COURT:
13
              MS. PERRY:
                          Thank you.)
          (Bench conference concluded.)
14
15
     BY MS. PERRY:
16
          Agent Aanonsen, I believe I told you that I was going to
17
     show you IC-126, so I'm going to pull that up right now.
          (Video was played but not reported.)
18
     BY MS. PERRY:
19
20
          I'm going to stop it here at the very beginning.
          Can you first tell us just generally what IC-126 is.
21
          It's a Flipagram video from Dante Bailey's iCloud account.
22
23
          And when you say "a Flipagram video," is it actually a
     video that was recovered from the iCloud account and in its
24
25
     original format?
```

- 1 **A.** Yes.
- 2 Q. And are there words and texts on the video -- over the
- 3 | course of the video?
- 4 **A.** Yes.
- 5 Q. And were those words as they appeared when you received
- 6 | the business record returned in this case?
- 7 **A.** Yes.
- 8 Q. And was it modified in any way?
- 9 **A.** No.
- 10 Q. I'm going to play it from the beginning.
- But, first, can you tell us what is written at the top of
- 12 | the screen here.
- 13 A. "EMM\$," where the S is replaced with a dollar sign,
- 14 "overpower everything."
- 15 Below that it says "Boss."
- 16 (Video was played but not reported.)
- 17 BY MS. PERRY:
- 18 Q. Pausing here for a moment, can you tell us who this is.
- 19 **A.** That's Dante Bailey.
- 20 **Q.** And what does the text say?
- 21 A. "Godfather."
- 22 (Video was played but not reported.)
- 23 BY MS. PERRY:
- 24 Q. Pausing here for a moment, can you tell us what it says on
- 25 the screen.

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- Case 1:16-cr-00267-LKG Document 1357 Filed 11/21/19 Page 30 of 281 [Reading]: When you think of us, you think of EMM\$. 1 Α. And who is in this particular photograph? 2 The right-hand side is Dante Bailey. The left-hand side 3 Α. is Randy Banks. 4 5 Playing it again. Q. 6 (Video was played but not reported.) BY MS. PERRY: 7 Pausing here, who is this in this photograph? 8 Q. It's Dante Bailey. 9 Α. 10 And what is the text? Q. 11 [Reading]: M5 God life 2 end M. Α. (Video was played but not reported.) 12 BY MS. PERRY: 13 Pausing here, who is this in this particular photograph? 14 Q. 15 Adrian Jamal Spence, a/k/a Spittle, a/k/a SP. Α. 16 And what does it say in the top right corner? [Reading]: Spittle DA Boss. Α. We'll come back to Mr. Spence in a moment.
- 17
- 18
- 19 (Video was played but not reported.)
- 20 BY MS. PERRY:
- 21 Who is this in this photograph? Q.
- 22 That's Dontray Johnson. Α.
- 23 And what does the text say?
- "DA Boss." 24 Α.
- 25 Does it also say "Bino"?

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- 1 A. Yes, it does.
- 2 Q. Who is this?
- 3 A. That's Corloyd Anderson.
- 4 Q. And what does it say in the top right?
- 5 A. "Fat Tony, Da Boss."
- 6 (Video was played but not reported.)
- 7 BY MS. PERRY:
- 8 | Q. And who is this in this particular photograph?
- 9 A. Dante Bailey.
- 10 **Q.** And what is the text?
- 11 A. "Boss of all Bosses."
- 12 (Video was played but not reported.)
- 13 **BY MS. PERRY:**
- 14 Q. I'm going to stop IC-126 there and show you IND-81.
- 15 Agent Aanonsen, who is this?
- 16 **A.** Adrian Spence, a/k/a Spittle, a/k/a SP.
- 17 Q. And is that the person you just described that was in
- 18 IC-126?
- 19 **A.** Yes.
- 20 **Q.** Turning now to IC-90, another photograph from the
- 21 | iCloud account.
- Is this photograph as it was in the business record for
- 23 | the iCloud account?
- 24 **A.** Yes.
- 25 | Q. And what does it say? First of all, who's depicted in the

- 1 top of this photograph?
- 2 A. Adrian Spence.
- 3 Q. And what about in the bottom left?
- 4 A. Adrian Spence.
- 5 Q. And what is the text in the bottom left of this particular
- 6 photograph?
- 7 **A.** [Reading]: EMM\$ are forever.
- 8 Q. I want to show you IND-20.
- 9 Who is depicted in IND-20?
- 10 A. Ayinde Deleon, a/k/a Murda, a/k/a Yin.
- 11 Q. I'm going to turn to SM-3, just the first page of SM-3.
- 12 And is this a Facebook business record return?
- 13 **A.** Yes.
- 14 Q. What is the name associated with this particular Facebook
- 15 | account?
- 16 A. Mark Deleon.
- 17 Q. And did you review the contents of SM-3?
- 18 **A.** Yes.
- 19 Q. And based on the name and the contents of SM-3, did you
- 20 make a determination as to who was operating this particular
- 21 | Facebook account?
- 22 **A.** Yes, Ayinde Deleon.
- 23 Q. So I want to turn to Page 11 of SM-3. Can you tell us
- 24 | who's depicted in this particular exhibit.
- 25 A. It's Ayinde Deleon.

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- 1 Q. And what does Mr. Deleon appear to be doing with his
- 2 hands?
- 3 A. Pressing his pointer fingers together with both of his
- 4 | middle fingers extended downward, making what appears to be an
- 5 M.
- 6 Q. And turning to Page 63 of this exhibit, I'm going to put
- 7 on the left side of the screen; and on the right side I will
- 8 put SM-3, Page 64.
- 9 Looking, first, to the left side of the screen, who is in
- 10 | this particular photograph?
- 11 **A.** On the left-hand side with the sunglasses on is
- 12 Ayinde Deleon. On the right-hand side is Desean McCorkle.
- 13 Q. And we'll come back to Mr. McCorkle in a few moments. But
- on the right-hand side of the photograph -- I mean, on the
- 15 | right-hand side here of the exhibit on SM-3, Page 64, does the
- 16 | photo on the left of the screen appear to have a title?
- 17 A. Yes. It says, "Mob life."
- 18 Q. I want to show you IND-89.
- 19 Can you tell us who this is.
- 20 A. It's Davon Temple, a/k/a Nizzy.
- 21 Q. And turning back to SM-1, the Facebook record of
- 22 Dante Great One, and turning your attention to Page 92, can you
- 23 | tell us who we're looking at here.
- 24 A. It's Davon Temple.
- 25 Q. I'm now going to show you IND-8.

- 1 Who is in IND-8?
- 2 **A.** William Banks, a/k/a Trouble.
- 3 Q. Turning your attention to SM-22, that Instagram business
- 4 | record, looking at just Page 1 for a moment, can you tell us
- 5 | who this Instagram account is -- what name is associated with
- 6 | the Instagram account?
- 7 **A.** Trouble5200.
- 8 Q. And based on the name of the account and the contents of
- 9 the account, were you able to determine who was operating the
- 10 | account?
- 11 A. Yes. We believed it to be operated by William Banks.
- 12 Q. So I want to stick with SM-22 for a moment and turn your
- 13 attention to Page 3.
- Can you tell us who's depicted in this particular
- 15 | photograph.
- 16 **A.** The left side of the photo with the red hat on is
- 17 William Banks.
- 18 The center of the photo is Dante Bailey.
- 19 And the right of the photo is Ayinde Deleon.
- 20 **Q.** And now turning to SM-6, which is the Instagram account
- 21 | that you described as belonging to Dante Bailey, and I'm going
- 22 | to turn your attention to Page 21.
- 23 Who is in this particular photograph?
- 24 | A. Left-hand side of the photo with the black hat on is
- 25 | William Banks. Right-hand side of the photo with the white

- 1 T-shirt on is Dante Bailey.
- 2 Q. Now, I want to circle back again to one of the YouTube
- 3 | videos that we were discussing earlier. And I would like to
- 4 | just show you or direct your attention to YouTube Video 2, YT-2
- on the exhibit, which was the video for the Str8 Mobbin'
- 6 YouTube video.
- 7 Are you familiar with that particular exhibit?
- 8 **A.** Yes.
- 9 Q. I want to show you some portions of that particular
- 10 exhibit. So I'm going to pull up, first, what is YT-2A.
- Can you tell us, first, what this is a particular photo
- 12 of.
- 13 A. It's a screenshot from the Str8 Mobbin' video.
- 14 Q. And can you tell us who the individuals in this particular
- 15 | photograph are.
- 16 A. Left-hand side of the video, with the hood up, is
- 17 Randy Banks.
- 18 Center of the photograph in the red shirt is Dante Bailey.
- 19 Right side of the photograph in the black Gap zip-up is
- 20 Dontray Johnson.
- 21 Q. And what is the text at the beginning of the -- or on this
- 22 | particular exhibit?
- 23 **A.** Murdaland Mafia.
- 24 Q. I turn your attention now to YT-2-B.
- What is this particular exhibit?

- 1 A. It's a screenshot from the same video.
- 2 Q. And who is depicted in this particular screenshot?
- 3 **A.** The center of the photograph with the backwards blue ball
- 4 | cap on is William Banks.
- 5 Q. Agent Aanonsen, having reviewed this particular video, are
- 6 there depictions in the video of particular locations?
- 7 **A.** Yes. Locations that they claimed as territory.
- 8 Q. So were there actually depictions of street signs and
- 9 intersections depicted in the video?
- 10 **A.** Yes.
- 11 Q. So I'm going to turn your attention to YT-2-C.
- 12 Is this a screenshot from that particular YouTube video?
- 13 A. Yes, it is; depicting the street signs Gwynn Oak Avenue
- 14 and Liberty Heights Avenue.
- 15 Q. And now turning to YT-2-D. This is another screenshot
- 16 | from that video?
- 17 **A.** Yes, it is; depicting the street signs at
- 18 | Windsor Mill Road and North Forest Park Avenue.
- 19 Q. And turning your attention to YT-2-C -- I'm sorry, 2-E.
- Can you tell us what we're looking at here.
- 21 A. Screenshot from the Str8 Mobbin' video depicting street
- 22 | signs of North Warwick Avenue and Lauretta Avenue.
- 23 **O.** And YT-2-F?
- 24 **A.** Screenshot depicting street signs at Boone Street and
- 25 East 27th Street.

- 1 Q. And YT-2-I, is this also a screenshot from that particular
- 2 video?
- 3 A. Yes, it is.
- 4 Q. And can you tell us who the individuals along the front of
- 5 | the video -- or the front of the photograph are.
- 6 A. Beginning on the left is Dontray Johnson in the black Gap
- 7 hoodie.
- Next to him is Dante Bailey in the red T-shirt.
- 9 Next to him in the -- with blue ball cap now turned
- 10 forward is William Banks.
- 11 And next to him is Randy Banks.
- 12 Q. I want to now turn your attention to
- 13 Government's Exhibit IND-94.
- 14 Who are we looking at here?
- 15 A. That's Dominick Wedlock, a/k/a Rage, a/k/a Nick.
- 16 Q. I'm going to show you an exhibit from the iCloud. This is
- 17 IC-73.
- 18 Who is in this particular photograph?
- 19 A. Left side of the photograph is Dominick Wedlock. Right
- 20 | side of the photograph is Dante Bailey.
- 21 Q. And now looking at IC-77, looking first at the top
- 22 | photograph, can you tell us who is at the top of the top
- 23 photograph.
- 24 A. Dominick Wedlock.
- 25 Q. And who is just under Mr. Wedlock?

- 1 A. Dante Bailey.
- 2 Q. And looking at the bottom portion of the photograph, what
- 3 does it say?
- 4 A. #MOBBLIFE.
- 5 Q. I'm going to show you another individual, IND-58.
- 6 Who is this?
- 7 A. That's Melvin Lashley, a/k/a Menace, a/k/a Melly.
- 8 Q. I'm going to show you another exhibit from the
- 9 | iCloud account. This is IC-12.
- 10 Can you tell us, first, what is the location this photo
- 11 was taken in.
- 12 A. It's the side of the BP gas station at 5200 Forest Park
- 13 and Windsor Mill.
- 14 **Q.** And who is in this photograph?
- 15 A. In the white T-shirt is Melvin Lashley, and behind him is
- 16 Dante Bailey.
- 17 Q. And another exhibit from the iCloud account, this is
- 18 IC-98.
- 19 Can you tell us who is in this particular photograph.
- 20 **A.** Melvin Lashley.
- 21 Q. I'll turn your attention now to another individual,
- 22 IND-21.
- Can you tell us who we're looking at here.
- 24 A. Devon Dent, a/k/a Tech.
- 25 **Q.** And I want to turn your attention to an exhibit from the

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     iCloud account.
                      This is IC-44.
 1
          Can you tell us who is depicted in this particular
 2
     photograph.
 3
                Beginning at the left in the red jacket is
 4
 5
     Adrian Spence.
          Next to him with the glasses on is Randy Banks.
 6
          In the middle with the big, furry coat -- blue, big, furry
 7
     coat on is Dante Bailey.
 8
          Next to him is Devon Dent.
 9
          And at the far right of the photo is Kevin Forrest.
10
11
          So I'm going to come back to Kevin Forrest -- actually,
     let me just turn your attention now to IND-30.
12
          Who is this?
13
          Kevin Forrest, a/k/a Hollywood.
14
15
          And is he the person you just mentioned as being on the
     Q.
16
     right side of the photograph that was IC-44?
17
          Yes.
     Α.
18
          So I want to show you an exhibit from Mr. Bailey's
19
     iCloud account. This is IC-125.
20
          (Video was played but not reported.)
     BY MS. PERRY:
21
```

- I'm stopping again at the beginning of IC-125. 22
- 23 Can you tell us what IC-125 is.
- It's a Flipagram video from Dante Bailey's iCloud account. 24
- 25 And similar to the other of the Flipagram videos we saw,

```
was this one -- was this as the video appeared in the iCloud
 1
     business record returned?
 2
          Yes.
 3
     Α.
          Was it altered or modified in any way?
 4
 5
     Α.
          No.
          So playing IC-125.
 6
     Q.
          (Video was played but not reported.)
 7
              MS. PERRY: I'm sorry. Going back just for a second.
 8
     BY MS. PERRY:
 9
10
          Can you tell us who is depicted in this photograph.
11
          The center of the photograph with the hat on is
     Dante Bailey.
12
13
          To his right is Randy Banks.
          And what is the text on the photograph?
14
     Q.
15
          Top left is an M.
     Α.
16
          Top right is an M.
17
          Center bottom is a P.
          And next to Dante Bailey's left leg, it says, "The Bad
18
19
     Guyz."
20
          (Video was played but not reported.)
     BY MS. PERRY:
21
          Pausing here again, can you tell us who's in this
22
23
     photograph.
          The far left is Dante Bailey.
24
25
          On the right side of the photograph is Randy Banks.
```

- What is the hashtag? 1 Q. "Shit I kill and die about." 2 (Video was played but not reported.) 3 BY MS. PERRY: 4 5 Stopping here for a moment, can you tell us who is in this Q. 6 particular photograph. Starting on the left is Adrian Spence in the red jacket. 7 Next to him is Randy Banks with the glasses on. 8 In the center, Dante Bailey with the blue coat. 9 On his left is Devon Dent. 10 And on Devon Dent's left is Kevin Forrest. 11 What is the text along the bottom of this particular 12 13 screenshot? "It's LaEMM 4 Life." 14 Α. 15 And are there letters or words associated with this 16 particular screenshot? 17 Above Adrian Spence's head, it says "Boss." Above Randy Banks' head, it says "BOF." 18 Across Dante Bailey's chest it says "GF." 19 There is a animal holding its hands over his eyes with the 20 21 lightning bolt above it covering Devon Dent's face. And across Kevin Forrest's chest is "UB." 22 23 (Video was played but not reported.)
 - Q. And one more time, can you tell us what the text on this

BY MS. PERRY:

24

25

- 1 particular screenshot is.
- 2 A. It says, "EMMZ R 4EVER." And flanking both sides is "M."
- 3 **Q.** And who is in this particular photograph?
- 4 A. Randy Banks is on the left.
- 5 In the center is Dante Bailey.
- 6 On the right is Adrian Spence.
- 7 Q. I want to turn your attention now to another individual,
- 8 IND-84.
- 9 Who is this?
- 10 **A.** Lamar Stevens, a/k/a M-Easy, a/k/a Easy.
- 11 Q. And did Mr. Stevens come up over the course of your
- 12 investigation?
- 13 A. Yes, he did.
- 14 Q. Turning your attention to IND-80, who is this?
- 15 **A.** Jamal Smith, a/k/a Mal.
- 16 Q. Now, I want to show you Government's Exhibit SM-21, the
- 17 first page.
- 18 Starting at the top, can you tell us what the name
- 19 associated with this Instagram account is.
- 20 A. The Yung OG.
- 21 | Q. And what is the vanity name associated with this account?
- 22 **A.** Therealyungmal .
- 23 | Q. And based on the name, as well as a review of the contents
- 24 of SM-21, did you make a determination as to who was operating
- 25 SM-21, the Instagram account?

- 1 A. Yes. Based on the contents and the name, we believed it
- 2 | was operated by Jamal Smith.
- 3 Q. Now, turn to Page 8 of SM-21.
- 4 Can you tell us who is in this particular photograph.
- 5 A. Left side of the photograph is Sydni Frazier.
- Right side of the photograph with the hat on is
- 7 | Jamal Smith.
- 8 Q. And did Mr. Smith come up over the course of your
- 9 investigation?
- 10 A. Yes, he did.
- 11 Q. And I'll show you another individual. This is IND-5.
- 12 Can you tell us who this is a photograph of.
- 13 A. Tiffany Bailey, a/k/a Tiff.
- 14 Q. And did you determine whether or not the individual in
- 15 | IND-5, Ms. Bailey, was associated with Dante Bailey?
- 16 A. She's Dante Bailey's wife.
- 17 | Q. I want to show you what is a portion of SM-6, the
- 18 Instagram account of Dante Bailey, and I'm going to turn to
- 19 | Page 56 of SM-6.
- 20 Who is depicted in this -- on this particular exhibit?
- 21 A. The left photo is Tiffany Bailey.
- 22 The right photo is Dante Bailey.
- 23 | Q. And can you read what the shirt Ms. Bailey is wearing
- 24 says.
- 25 **A.** [Reading]: My heart -- I can't make out the next word.

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          Below it it says [reading]: Double time for Gutta.
 1
          And now turning back to the iCloud account, this is IC-94.
 2
     Q.
          Can you tell us who is depicted in this particular
 3
     photograph.
 4
 5
          Left side of the photograph is Tiffany Bailey.
          The right side is Dominick Wedlock.
 6
 7
          And what is the caption for this photo?
     Q.
          [Reading]: EMMMs are forever, baby. I love this "N" word
 8
     right here. Real family.
 9
          Agent Aanonsen, at this point I want to turn back to the
10
11
     wiretap evidence for a few minutes.
          Before we get started, can you give us just a brief
12
13
     overview of what a wiretap is.
                 A wiretap, in the most general of terms, gives
14
     law enforcement the ability to become a third party to your
15
16
     conversation. Once we identify a telephone and a telephone
17
     number, when that telephone makes or receives phone calls,
     we're then able to listen to the conversation.
18
          Now, I'd like to show you what is marked as Government's
19
```

Exhibit Wire B. 20

MS. PERRY: May I approach the witness? 21 (Handing.) 22

23 BY MS. PERRY:

- Agent Aanonsen, do you recognize this exhibit? 24
- 25 Yes. Α.

- 1 Q. What is it?
- 2 A. It's selected calls from Wire Line B, which was conducted
- 3 by Baltimore County and Homeland Security Investigations on a
- 4 | phone belonging to Adrian Spence.
- 5 Q. Now, I'm going to show you IND-81.
- 6 Who is this?
- 7 A. Adrian Spence.
- 8 Q. And, again, was this the individual who was being
- 9 intercepted over Wire B?
- 10 **A.** Yes.
- 11 Q. And the phone number associated with Wire B, was that
- 12 | phone number (410) 831-8811?
- 13 A. Yes, it was.
- 14 Q. And during what period were calls being intercepted over
- 15 | that particular phone line?
- 16 **A.** The summer of 2015.
- 17 Q. Before coming to court today, did you listen to all of the
- 18 | calls contained on Government's Exhibit Wire B?
- 19 **A.** Yes, I did.
- 20 **Q.** And were any of the defendants intercepted over
- 21 Wire Line B?
- 22 **A.** Yes.
- 23 Q. I'm going to show you again IND-3.
- Who are we looking at here?
- 25 A. That's Dante Bailey. He was intercepted over Wire Line B.

- 1 Q. And I'm showing you IND-7.
- 2 Who is that?
- 3 A. That's Randy Banks. He was intercepted over Wire Line B.
- 4 | Q. In addition to Mr. Bailey and Mr. Banks, were other
- 5 members, associates, or subjects of your investigation into MMP
- 6 | intercepted over this particular line?
- 7 **A.** Yes.
- 8 Q. So I'm going to show you IND-21. Remind us who we're
- 9 looking at here.
- 10 A. That's Devon Dent.
- 11 Q. And did he have any relationship to Wire Line B?
- 12 A. Yes. He was intercepted over Wire Line B as well.
- 13 **Q.** And IND-53?
- 14 | A. It's Dontray Johnson. He was also intercepted over
- 15 Wire Line B.
- 16 **Q.** And IND-5?
- 17 | A. It's Tiffany Bailey. She was also intercepted over
- 18 | Wire Line B.
- 19 Q. Now, I want to show you Government's Exhibit IND-39.
- Who is this?
- 21 A. That's Jay Greer, a/k/a Champagne, a/k/a Montana Gold.
- 22 | Q. And did Mr. Greer have any relationship with Wire Line B?
- 23 **A.** Yes. He was also intercepted over Wire Line B.
- 24 | Q. Now, I want to show you IC-28, which is an exhibit from
- 25 the iCloud account.

- Who is on the left of this photograph?
- 2 A. That's Jay Greer.
- 3 Q. Now, I'd like to show you IND-96.
- Who is this depicted in IND-96?
- 5 A. That's Kameron Wilson, a/k/a Harry Potter.
- 6 Q. And did he have any relationship with Wire Line B?
- 7 **A.** Yes. He was intercepted over Wire Line B.
- 8 Q. Now, Agent Aanonsen, over the course of your
- 9 | investigation, did you also become familiar with an individual
- 10 named Darius Spence?
- 11 **A.** Yes.
- 12 Q. And did he have any relationship to Wire Line B?
- 13 **A.** Yes, he was also intercepted over Wire Line B.
- 14 Q. So I want to just discuss briefly how you were able to
- 15 | identify the individuals who were recorded over this particular
- 16 line.
- 17 Let's start with Mr. Spence. Over the course of your
- 18 | investigation, did you become familiar with Mr. Spence's voice?
- 19 A. Yes. I heard Mr. Spence speak in person. Also heard him
- 20 | in numerous jail conversations. He also self-identifies over
- 21 | the phone. He made some phone calls to a travel agent, gave
- 22 | his full name and address over the phone line. And the voice
- 23 | matched, you know, the majority of the calls on that line.
- 24 | Q. What about Mr. Bailey; are you familiar with Mr. Bailey's
- 25 voice?

- 1 **A.** Yes.
- 2 **Q.** How?
- 3 **A.** Mr. Bailey can be heard speaking in the interview that the
- 4 jury just watched. He's in several YouTube videos. He's
- 5 participated in interviews with law enforcement where I've
- 6 heard him speak. He's also in numerous jail conversations
- 7 | where he says his name, Dante Bailey, before the call starts.
- 8 Q. What about Mr. Banks, Randy Banks; how are you -- if at
- 9 all, how are you able to identify when he was speaking over
- 10 Wire Line B?
- 11 A. I've heard Mr. Banks speak in person. I've also heard him
- 12 | speak over jail conversations where he gives his name,
- 13 Randy Banks, at the beginning of the call.
- 14 Q. And what about Devon Dent?
- 15 A. I've heard Devon Dent speak in person. He also does not
- 16 give his name over wire calls, but the voice matches the calls
- 17 | intercepted over the wiretap lines as the same person, using
- 18 | that state identification number in the system.
- 19 Q. And what about Dontray Johnson; were you able to identify
- 20 his voice?
- 21 A. Yes. I've heard Dontray Johnson speak in person.
- 22 | Q. And what about Tiffany Bailey; were you able to identify
- 23 her voice?
- 24 **A.** Yes. I've heard Tiffany Bailey speak in person.
- 25 **Q.** Jay Greer, were you able to identify when he was the

- 1 | speaker over Wire Line B?
- 2 A. Yes. I've heard Jay Greer speak in person.
- 3 Q. What about Kameron Wilson; how were you able to identify
- 4 | when he was the speaker over Wire Line B?
- 5 A. Kameron Wilson makes several recorded jail calls from his
- 6 state identification number where he says his full name,
- 7 Kameron Wilson, at the beginning of the call.
- 8 During -- using this particular line, there was a
- 9 interaction with law enforcement. They conducted a
- 10 | search warrant at his residence, and they ultimately arrested
- 11 | him with a specific quantity of narcotics.
- 12 Later on when he gets released, there's a conversation
- 13 between him and Adrian Spence, where he recounts what occurred
- 14 and gives the amount of narcotics that were recovered.
- 15 | Q. And finally, with respect to Wire Line B, when
- 16 Darius Spence was the speaker, how were you able to identify
- 17 him?
- 18 A. I've heard Darius Spence speak in person.
- 19 Q. Now, Agent Aanonsen, did you prepare or review transcripts
- 20 of all of the calls contained on Wire Line B?
- 21 **A.** Yes.
- 22 | Q. And do those transcripts include the date and time of a
- 23 | particular call?
- 24 **A.** Yes.
- 25 **Q.** How were you able to determine the date and time of a

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1 | particular call?
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- 2 **A.** The date and time of particular calls is automatically
- 3 recorded when the calls are generated by the intercepting
- 4 software.
- 5 Q. And do the transcripts that you just discussed include the
- 6 | participants in a particular call?
- 7 A. Yes; when we can identify them.
- 8 Q. And how are the transcripts denoted when you were unable
- 9 to identify the person in a particular call?
- 10 A. We denote that person as unknown.
- 11 Q. And when you identified someone, did you identify them
- 12 based on the ways you just described to the jury?
- 13 **A.** Yes.
- 14 **THE COURT:** Ms. Perry, let me just ask before you
- 15 | start how long that's going to be, whether this is a good time
- 16 to take the morning break.
- 17 | MS. PERRY: I believe it is a good time to take a
- 18 break, Your Honor.
- 19 **THE COURT:** All right. Ladies and gentlemen, we'll
- 20 | take the mid-morning recess and then continue.
- I'm going to ask the jury to be excused.
- 22 | (Jury left the courtroom at 11:30 a.m.)
- 23 THE COURT: For the witness, you can go back to the
- 24 table.
- 25 I'll excuse the gallery.

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1
              All right. We'll take our recess.
 2
          (Recess taken.)
              THE COURT: Ms. Whalen, did you have an issue that
 3
     should be addressed now or --
 4
 5
              MS. WHALEN: Oh, no. It was before Mr. Banks takes
     the stand, which I don't think will happen --
 6
 7
              THE COURT: I'm not clear it's going to happen today
     at this rate.
 8
              MS. WHALEN: Oh, yes. I figured that would be an
 9
     after-lunch . . .
10
11
              THE COURT:
                         Okay.
              MS. PERRY: Your Honor, can Agent Aanonsen retake the
12
13
     stand?
              THE COURT: Yes.
14
              MS. PERRY: Thank you.
15
16
          (Jury entered the courtroom at 11:49 a.m.)
17
              THE COURT: All right. If you'd like to continue,
     Ms. Perry.
18
              MS. PERRY: Thank you, Your Honor.
19
     BY MS. PERRY:
20
          Agent Aanonsen, I believe we just finished discussing the
21
     Exhibit Wire B. At this time I'm going to walk up to you five
22
23
     discs. They're Wire D, Wire G, Wire 1, Wire 2, and Wire 3.
              MS. PERRY: Your Honor, permission to approach?
24
     BY MS. PERRY:
25
```

- 1 Q. (Handing.)
- 2 Starting, first, with Government's Exhibit Wire D, do you
- 3 recognize this exhibit?
- 4 A. Yes. It's wire call excerpts from Wire Line D conducted
- 5 by Homeland Security and Baltimore County Police Department in
- 6 the summer of 2015 on a phone number belonging to
- 7 Adrian Spence.
- 8 Q. And just showing you IND-81 again, who is that?
- 9 A. Adrian Spence.
- 10 Q. And was the phone number being intercepted over Wire D
- 11 | phone number (443) 707-5054?
- 12 **A.** Yes.
- 13 Q. And during what time frame was Wire D being intercepted?
- 14 **A.** The summer of 2015.
- 15 **Q.** And before coming to court today, did you listen to the
- 16 | calls contained on the Exhibit Wire D?
- 17 **A.** Yes.
- 18 Q. Were any of the defendants intercepted over this
- 19 | particular phone line?
- 20 **A.** Yes.
- 21 Q. I'm going to show you IND-60.
- 22 Can you remind us who is depicted in IND-60.
- 23 A. It's Jamal Lockley.
- 24 Q. And was Mr. Lockley intercepted over Wire D?
- 25 **A.** Yes, he was.

- 1 Q. I'm also going to show you IND-96.
- 2 Can you remind us who this is.
- 3 A. That's Kameron Wilson.
- 4 Q. And did he have a relationship with Wire Line D?
- 5 **A.** He was intercepted over Wire Line D as well.
- 6 Q. And IND-80, can you remind us who this is.
- 7 **A.** Jamal Smith, also intercepted over Wire Line D.
- 8 Q. Now, I'm going to show you IND-43.
- 9 Can you tell us who is depicted here.
- 10 A. Jarmal Harrid, a/k/a PJ, a/k/a J Rock.
- 11 Q. And did Jarmal Harrid have a relationship with
- 12 | Wire Line D?
- 13 A. He was also intercepted over Wire Line D.
- 14 Q. I'm going to show you what's from the iCloud account as
- 15 IC-91.
- 16 Can you tell us who's depicted in this photograph.
- 17 **A.** Left side of the photograph, Adrian Spence.
- 18 Right side of the photograph, Jarmal Harrid.
- 19 Q. I'm now going to show you IND-55.
- 20 Can you tell us who this is.
- 21 | A. William Jones, a/k/a Smalls, a/k/a Bill. He was also
- 22 | intercepted over Wire Line D.
- 23 | Q. I'm going to show you what is from Government's
- 24 Exhibit SM-10, which I believe I showed you yesterday as the
- 25 | Instagram account that you described as belonging to

- 1 Shakeen Davis. I'm going to turn to Page 23 of that particular exhibit.
- Can you tell us who is depicted in this particular photograph.
- 5 A. Right side of the photograph is Shakeen Davis.
 6 Center of the photograph is William Jones.
- Q. And are you able to determine where this photograph was taken?
- 9 **A.** No.
- 10 Q. I'm now going to show you SM-7, the first page of SM-7.
- 11 This is an Instagram business record.
- 12 Looking here, can you tell us what e-mail account was
- 13 registered with this particular Instagram account.
- 14 A. Bill_will252511@yahoo.com.
- 15 Q. And is there a vanity name associated with this Instagram
- 16 | account?
- 17 A. 5200smallzqmb.
- 18 Q. And did you review the contents of SM-7?
- 19 **A.** Yes.
- 20 Q. And based on the name and the contents of the account, did
- 21 you form a belief as to who was operating this account?
- 22 A. Yes. I believed it was operated by William Jones.
- 23 Q. Now I'm going to turn your attention to Page 17 of SM-7.
- Can you tell us who's depicted in this photograph.
- 25 A. Right-hand side is William Jones.

- 1 Left-hand side is Jamal Lockley.
- 2 Q. Now, turning your attention back to Wire Line D, I want to
- 3 | talk about how you were able to identify the individuals who
- 4 | were recorded over this particular wiretap line. Starting with
- 5 Mr. Lockley, how are you familiar with Mr. -- if at all, how
- 6 | are you familiar with Mr. Lockley's voice?
- 7 **A.** We conducted a controlled purchase from Mr. Lockley that
- 8 | was video- and audio-recorded in which he spoke. He also makes
- 9 | jail calls where his voice matches the person we intercepted on
- 10 | that phone number.
- 11 **Q.** And what about Jarmal Harrid; how were you able to
- 12 | identify when he was intercepted over Wire Line D?
- 13 **A.** Jarmal Harrid makes recorded jail -- recorded jail calls
- 14 | from his state identification number where the voice matches
- 15 | the voice intercepted over the wire.
- 16 Q. What about William Jones?
- 17 | A. William Jones makes jail call -- recorded jail calls from
- 18 | his state identification number and says his name.
- 19 Q. And what about Jamal Smith?
- 20 A. Jamal Smith, same thing, recorded jail calls where he says
- 21 | his name, puts in his state ID number, makes a call.
- 22 | Q. And I believe you've previously testified about how you
- 23 | were able to recognize Kameron Wilson's voice. Did you use
- 24 | those same techniques to recognize his voice over Wire Line D?
- 25 **A.** Yes.

- 1 Q. Agent Aanonsen, did you prepare or review transcripts of
- 2 | all of the calls contained on the Exhibit Wire D?
- 3 **A.** Yes.
- 4 | Q. And do they include the phone numbers and the participants
- 5 in the calls?
- 6 **A.** Yes.
- 7 Q. And for the phone numbers, how were those determined?
- 8 A. Phone numbers are automatically recorded by the software.
- 9 Q. And were the participants included in those transcripts
- 10 where they could be identified based on the things you've just
- 11 described?
- 12 **A.** Yes.
- 13 Q. So I want to now turn your attention to
- 14 | Government's Exhibit Wire G, which I believe is in front of
- 15 you.
- Do you recognize Government's Exhibit Wire G?
- 17 **A.** Yes. Selected wire intercept excerpts from a wiretap
- 18 | conducted on a phone belonging to Adrian Jamal Spence summer of
- 19 | 2015 by Baltimore County Police and Homeland Security
- 20 Investigations.
- 21 Q. And was the phone number intercepted over Wire G
- 22 (323) 594-7941?
- 23 **A.** Yes.
- 24 Q. And before coming to court today, did you listen to the
- 25 | calls contained on Wire G?

- 1 **A.** Yes.
- 2 Q. And were any of the defendants intercepted over Wire G?
- 3 **A.** Yes.
- 4 | Q. I'm going to show you IND-60. Again, who is this?
- 5 A. Jamal Lockley intercepted over Wire G.
- 6 Q. And in addition to some of the individuals you've already
- 7 described, were there any new individuals that you haven't
- 8 described previously intercepted over Wire G?
- 9 **A.** Yes.
- 10 Q. I'm going to show you IND-88.
- 11 Do you recognize this person?
- 12 A. It's Takuma Tate, a/k/a Oop.
- 13 Q. And what was his relationship with respect to Wire Line G?
- 14 A. He was intercepted over Wire Line G.
- 15 Q. I'm now going to show you what is in -- from the
- 16 | iCloud account, this is IC-94 -- I'm sorry. It's IC-49.
- 17 | Can you tell us who's depicted on the right-hand side of
- 18 this photograph.
- 19 **A.** Takuma Tate appears to be -- what appears to be making an
- 20 M with his hands.
- 21 Q. Now, you've already described how you were able to
- 22 | identify when Mr. Lockley was speaking over another wiretap
- 23 | line. Did you use those same techniques with respect to
- 24 | Wire Line G?
- 25 **A.** Yes.

- 1 Q. And did you prepare or review transcripts of all of the
- 2 | calls contained on Government's Exhibit Wire G?
- 3 **A.** Yes.
- 4 Q. And are the times and phone numbers included on those
- 5 transcripts as you've described with the other wire lines?
- 6 **A.** Yes.
- 7 | Q. And are names included in those transcripts where you were
- 8 | able to identify the participants as you've previously
- 9 described?
- 10 A. Yes. And if we're not able to identify them, they're
- 11 "unknown."
- 12 Q. So now turning your attention to the disc in front of you
- 13 | labeled Wire 1, do you recognize that exhibit?
- 14 **A.** Yes.
- 15 **Q.** And what is contained on Wire 1?
- 16 A. It's a wiretap conducted on Dwight Jenkins' phone summer
- 17 of 2016 by ATF and Baltimore City Police.
- 18 Q. I want to show you IND-50.
- 19 Can you tell us who's depicted here.
- 20 **A.** It's Dwight Jenkins, a/k/a Huggie, a/k/a Unc.
- 21 | Q. And was this the person you previously described as being
- 22 | in the background of the interview contained on YT-14?
- 23 **A.** Yes.
- 24 | Q. I'm going to show you Government's Exhibit SM-18, Page 1.
- 25 And is this an Instagram business record?

- 1 **A.** It is.
- 2 Q. And was this portion of the record returned -- I'm
- 3 actually going to skip over Page 1 for a moment. I will skip
- 4 over SM-18 for a moment -- it seems I am unable to pull up the
- 5 | front of this exhibit -- and turn back to Wire 1 for a moment.
- 6 You said that Dwight Jenkins was the individual being
- 7 | intercepted over Wire 1; is that correct?
- 8 A. That's correct.
- 9 Q. And could you tell us again what the time frame was that
- 10 | the calls were intercepted over Wire 1.
- 11 **A.** The summer of 2016.
- 12 Q. And was the phone number being intercepted (443) 301-8849?
- 13 A. That's correct.
- 14 Q. Before coming to court today, did you listen to all of the
- 15 | calls contained on Wire 1?
- 16 **A.** Yes.
- 17 | Q. And were any of the defendants intercepted over this phone
- 18 line?
- 19 **A.** Yes.
- 20 Q. Showing you, again, IND-60. Again, who is this?
- 21 A. Jamal Lockley intercepted over Wire Line 1.
- 22 | Q. How were you able to determine when Mr. Jenkins was the
- 23 | individual being intercepted over Wire Line 1?
- 24 | A. We made several video-recorded purchases of narcotics and
- 25 one purchase of a firearm from Mr. Jenkins where he talked on

- 1 video.
- 2 Q. And did you prepare or review transcripts of all of the
- 3 | calls contained on Wire 1?
- 4 **A.** Yes.
- 5 Q. And do those transcripts contain the dates and times and
- 6 | phone numbers of the calls?
- 7 **A.** Yes.
- 8 Q. And were those recorded automatically as you previously
- 9 described --
- 10 **A.** Yes.
- 11 Q. -- with respect to the other lines?
- 12 **A.** Uh-huh.
- 13 Q. And do the transcripts include the participants of the
- 14 calls where you were able to identify them based on the
- 15 | criteria you've described?
- 16 **A.** Yes.
- 17 | Q. Turning now to Government's Exhibit Wire 2, do you
- 18 recognize Wire 2?
- 19 **A.** Yes.
- 20 | Q. And what's on Government's Exhibit Wire 2?
- 21 A. Selected excerpts from Wire Line 2 conducted in the summer
- 22 of 2016 by ATF and Baltimore City Police on a phone belonging
- 23 to Jacob Bowling.
- 24 Q. I'm going to show you Government's Exhibit IND-12.
- Who is that?

- 1 A. It's Jacob Bowling, a/k/a Fred, a/k/a Jakey, a/k/a Ghost.
- 2 Q. And I'm now going to turn your attention to SM-36, which
- 3 is one of the screenshots that you described yesterday.
- 4 Looking, first, to the far left of this particular
- 5 | photograph, can you tell us who's depicted there.
- 6 **A.** The person on the far left is Jacob Bowling.
- 7 **Q.** And what about on the far right?
- 8 A. The person on the far right is Jamal Lockley.
- 9 Q. And was the phone number being intercepted over Wire 2 the
- 10 | phone number (443) 766-6957?
- 11 **A.** Yes.
- 12 | Q. And before coming to court today, did you listen to all of
- 13 | the calls contained on Wire 2?
- 14 A. Yes; on the excerpts.
- 15 **Q.** And were any of the defendants intercepted over this line?
- 16 **A.** Yes.
- 17 Q. Again, showing you IND-60, who is this?
- 18 A. Jamal Lockley, intercepted over Wire Line 2.
- 19 Q. And I want to show you IND-58 again. Can you remind us
- 20 who this is.
- 21 **A.** Melvin Lashley, a/k/a Menace, intercepted over
- 22 Wire Line 2.
- 23 | Q. And IND-55, who is this?
- 24 | A. William Jones, intercepted over Wire Line 2.
- 25 Q. Now, I want to show you IND-57.

- Can you tell us who this is.
- 2 A. Malcolm Lashley, a/k/a Spook.
- 3 | Q. And was he intercepted over Wire Line 2?
- 4 **A.** Yes, he was.
- 5 | Q. And showing you IND-22, who is this?
- 6 A. Dominic Dillard, a/k/a Nick, also intercepted over
- 7 | Wire Line 2.
- 8 Q. And, Agent Aanonsen, were you able to identify the
- 9 | speakers who were speaking over Wire Line 2 based on your
- 10 investigation?
- 11 **A.** Yes.
- 12 Q. And did you prepare or review transcripts of all of the
- 13 | calls contained on Wire 2?
- 14 **A.** Yes.
- 15 Q. And do those transcripts contain the date and times and
- 16 | phone numbers as you've described previously?
- 17 **A.** Yes.
- 18 Q. And do they include the speakers where you were able to
- 19 | identify them?
- 20 **A.** Yes.
- 21 Q. So, finally, turning your attention to TT -- to Wire 3,
- 22 | which is in front of you, what is this particular exhibit?
- 23 A. Selected excerpts from a wiretap intercept occurring over
- 24 | a phone belonging to Jamal Lockley, summer of 2016, conducted
- 25 by ATF and Baltimore City Police Department.

- 1 Q. And was the phone number being intercepted (443) 709-7780?
- 2 A. That's correct.
- 3 Q. And before coming to court today, did you listen to all of
- 4 | the calls that are on Government's Exhibit Wire 3?
- 5 **A.** Yes.
- 6 Q. And were any of the defendants intercepted over this line?
- 7 **A.** Yes.
- 8 Q. Specifically, you said the line belonged to Mr. Lockley.
- 9 | Is that him depicted in IND-60?
- 10 A. That's him.
- 11 Q. Turning your attention to IND-3, can you tell us who this
- 12 is.
- 13 A. Dante Bailey.
- 14 Q. And was he intercepted over Wire Line 3?
- 15 **A.** Yes.
- 16 Q. And what about IND-2; can you remind us who this is.
- 17 A. Corloyd Anderson.
- 18 Q. And was he intercepted over Wire Line 3?
- 19 **A.** Yes.
- 20 **Q.** And were there several other individuals that you've
- 21 | previously described who were intercepted over this line?
- 22 **A.** Yes.
- 23 | Q. And did you prepare or review transcripts of the calls
- 24 | contained on Wire Line 3?
- 25 **A.** Yes.

- 1 Q. And do those transcripts contain dates and times and phone
- 2 numbers as you've previously described?
- 3 **A.** Yes.
- 4 Q. And do they contain the names of the individuals speaking
- 5 | when you were able to identify them?
- 6 **A.** Yes.
- 7 Q. Now, Agent Aanonsen, over the course of your
- 8 investigation, were there times when certain of the defendants
- 9 or other individuals that you've mentioned who were relevant to
- 10 your investigation were incarcerated?
- 11 **A.** Yes.
- 12 **Q.** And where were they incarcerated, generally speaking?
- 13 **A.** In facilities in Maryland, but also in other states.
- 14 Q. And were they at various facilities over different periods
- 15 of time?
- 16 **A.** Yes.
- 17 **Q.** And in the course of your investigation, did you review
- 18 | jail calls that were made by these individuals from these
- 19 | various facilities?
- 20 **A.** Yes.
- 21 | Q. Can you just describe briefly for the jurors how
- 22 | jail calls work or how they're recorded.
- 23 | A. Sure. Upon your first arrest, you're issued a state
- 24 | identification number, which is also known as a SID number.
- 25 You enter your SID number into the phone system at the facility

- 1 to call out, call family, friends, associates. And then it's
- 2 recorded. We have access to that as law enforcement.
- 3 Q. So I'm going to show you Government's Exhibit Jail 1.
- 4 (Handing.)
- 5 Do you recognize this exhibit?
- 6 **A.** Yes.
- 7 **Q.** And what is on this exhibit generally?
- 8 A. Selected jail calls from different facilities.
- 9 Q. And were these calls received pursuant to a business
- 10 | record certification?
- 11 **A.** Yes.
- 12 Q. And were the calls contained on Jail 1 modified in any
- 13 way?
- 14 **A.** No.
- 15 Q. So we'll come back to the jail calls and wire calls, the
- 16 | content of them, later in the case. I just want to ask you
- 17 | about a couple of more individuals.
- 18 First, I'm going to show you Government's IND-13.
- 19 Do you recognize this person?
- 20 **A.** It's Maurice Braham, a/k/a Mookie.
- 21 **Q.** And I want to show you what's from the iCloud as IC-75.
- 22 Can you tell us who's depicted in this photograph.
- 23 A. Yes. Starting on the left, blue T-shirt is
- 24 Maurice Braham.
- 25 On his left is Jacob Bowling.

- On Jacob Bowling's left is Dominick Wedlock.
- 2 And at the right of the photo is Randy Banks.
- 3 Q. And did Mr. Braham come up over the course of your
- 4 investigation?
- 5 **A.** Yes.
- 6 Q. I'm going to show you IND-10.
- 7 Who is this individual?
- 8 A. Charles Blackwell, a/k/a C-Bo.
- 9 Q. And did he come up over the course of your investigation?
- 10 **A.** Yes.
- 11 Q. I'm going to show you SM-30, which is a screenshot from a
- 12 public social media account that you described earlier.
- 13 Can you tell us who's depicted here.
- 14 A. Person in the red shirt is Charles Blackwell.
- 15 | Q. And, finally, I'm going to show you IND-69. Can you tell
- 16 us who this particular individual is.
- 17 **A.** Maurice Pollock, a/k/a Reese.
- 18 Q. And did he come up over the course of your investigation?
- 19 A. Yes, he did.
- 20 **Q.** I'm going to show you an excerpt from SM-13, which you
- 21 described yesterday as an Instagram account belonging to
- 22 | Shakeen Davis, turning to Page 11.
- Can you tell us who's depicted in this particular
- 24 photograph.
- 25 **A.** Left side of the photograph, Shakeen Davis.

- 1 Right side, Maurice Pollock.
- 2 Q. Now, Agent Aanonsen, you discussed yesterday that when you
- 3 were describing an overview of the investigation, that the
- 4 | Baltimore Police Department investigated acts of violence that
- 5 occurred in the areas that you described earlier; is that
- 6 correct?
- 7 **A.** That's correct.
- 8 Q. Without getting into the substance of those
- 9 investigations, did ATF also get involved in certain
- 10 | investigations with respect to violence?
- 11 **A.** Yes.
- 12 Q. And, again, without getting into the substance of those
- 13 investigations, can you give the jury just an overview of the
- 14 dates and locations of the acts of violence that were
- 15 | investigated in connection with MMP.
- 16 **A.** Absolutely.
- On October 15th, 2012, Samartine Hill, also known as
- 18 | Snook, was shot out front of the Mirage Nightclub, downtown
- 19 | Baltimore City.
- 20 Q. I'm going to show you IND-46.
- 21 Can you tell us who that is.
- 22 A. Samartine Hill.
- 23 | Q. Can you tell us about another investigation that ATF was
- 24 involved in.
- 25 **A.** November 22nd, 2012, Antoine Ellis, also known as Poopy,

- 1 | was murdered across the street from the BP gas station.
- 2 Q. And that would be in the 5200 block of Windsor Mill Road?
- 3 **A.** Yes.
- 4 Q. So I'm going to show you IND-28. Can you tell us who that
- 5 is.
- 6 A. Antoine Ellis.
- 7 **Q.** What about in February of 2015?
- 8 A. February 8th, 2015, there was a shooting that occurred
- 9 where three unknown males were shot at at the BP gas station at
- 10 the 5200 block of Windsor Mill. We weren't able to identify
- 11 | who they were.
- 12 **Q.** And what about a few days later in February of 2015?
- 13 A. February 12th, 2015, James Edwards, also known as Bangout,
- 14 | was murdered in the 300 block of Collins.
- 15 Q. I'm going to show you IND-27. Can you tell us who's
- 16 depicted here.
- 17 **A.** James Edwards.
- 18 | Q. What about in May of 2015?
- 19 A. May 30th, 2015, D'Andre Gwynn and Dana Johnson were both
- 20 | shot at in the intersection directly in front of the BP gas
- 21 | station, 5200 block, Windsor Mill.
- 22 | Q. I'm showing you IND-40. Can you tell us who that is.
- 23 A. D'Andre Gwynn.
- 24 Q. And IND-52, who is that?
- 25 A. Dana Johnson.

- 1 Q. What about in July of 2015?
- 2 A. July 22nd, 2015, the attempted murder of Lawrence Shird at
- 3 the BP gas station, 5200 block, Windsor Mill Road.
- 4 Q. I'll show you IND-77. Who is that?
- 5 A. Lawrence Shird.
- 6 **Q.** What about in September of 2015?
- 7 A. September 29th, 2015, was the murder of Brian Johnson,
- 8 also known as Nutty B, at the BP gas station, 5200 block,
- 9 Windsor Mill Road.
- 10 Q. Showing you IND-51, who is that?
- 11 A. That's Brian Johnson.
- 12 Q. What about in April of 2016?
- 13 A. April 28th, 2016, Anthony Hornes is murdered in the
- 14 4700 block of Haddon, Haddon Avenue.
- 15 **Q.** Showing you IND-48, who is that?
- 16 **A.** Anthony Hornes.
- 17 Q. And, finally, in August of 2016?
- 18 A. August 10th, 2016, Ricardo Johnson is murdered in the
- 19 | 2200 block of Kloman Street.
- 20 Q. And showing you IND-54, who is that?
- 21 A. That's Ricardo Johnson.
- 22 | Q. I want to show you Government's Exhibit DEM-3.
- 23 Can you tell us what we're looking at here.
- 24 **A.** This is a --
- 25 Q. Go ahead.

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- 1 A. Oh, I'm sorry.
- This is a timeline recap of the events I've just
- 3 described.
- 4 Q. And have you had a chance to review it before coming to
- 5 | court today?
- 6 A. I have.
- 7 | Q. And is it an accurate timeline of the events you just
- 8 described?
- 9 **A.** It is.
- 10 Q. And looking here at the February 8th, sort of the bottom
- 11 left, second from the left, we see three photos there. Can you
- 12 tell us just generally where those photos came from.
- 13 A. Came from surveillance video at the BP gas station,
- 14 | 5200 block, Windsor Mill Road.
- 15 Q. I want to show you DEM-4.
- Can you -- first of all, are you familiar with this
- 17 document.
- 18 **A.** Yes, I am.
- 19 Q. And have you had a chance to look at it before coming to
- 20 court today?
- 21 **A.** I have.
- 22 **Q.** And what is depicted in this particular document?
- 23 **A.** This is an aerial view of the 5200 block of
- 24 | Windsor Mill Road. That's the BP gas station. The numbers
- 25 | with red stars next to them indicate areas -- approximate areas

```
where these acts occurred. But there are also events that
 1
     occurred that are not shown on the map listed under "not
 2
     pictured."
 3
              MS. PERRY: Court's indulgence.
 4
 5
              Nothing further, Your Honor.
              Thank you.
 6
 7
              THE COURT:
                         Thank you. Could I see counsel for just a
     minute.
 8
          (Bench conference on the record:
 9
              THE COURT: Just confirming what we talked about
10
11
     regarding this witness. He may be called back at a later time.
     Defense counsel have the option, obviously, to cross-examine
12
     him now on what he's already testified about.
13
              I think we also indicated that if anyone preferred to
14
15
     reserve their cross until the next time or the last time that
16
     he testified, that was an option as well.
17
              And we've also discussed that defense counsel will try
     to identify who was going to take the lead on a particular
18
19
     witness. Try not to duplicate questions, but . . .
20
              Everybody have that understanding?
21
              MS. WHALEN: Yes.
22
              MR. ENZINNA: May I clarify one thing.
23
              THE COURT: Yes.
              MR. ENZINNA: I do plan to cross-examine him now about
24
     the things he's testified to so far.
25
```

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```
1
              THE COURT:
                          Yes.
              MR. ENZINNA: But I will want to cross-examine him
 2
     again if he testifies again.
 3
              THE COURT: Yes, and that's fine. We will not go back
 4
 5
     to that.
 6
              MR. ENZINNA: I just want to make sure.
 7
              THE COURT: Absolutely, you can cross-examine him
     again on whatever he testifies about next.
 8
 9
              All right. Thank you.
              MR. ENZINNA: Oh, actually, I'll talk to them, between
10
11
     me and the Government.)
          (Counsel conferred.)
12
          (Bench conference concluded.)
13
14
                             CROSS-EXAMINATION
15
     BY MR. ENZINNA:
16
          Good afternoon, Agent Aanonsen.
17
          Good afternoon, sir.
     Α.
18
          Sir, how long did you say you've been employed by the ATF?
19
     Α.
          Five years.
20
          And prior to that, you were a New Jersey police officer?
          I was a police officer for the Department of Defense in
21
     Α.
22
     Fort Dix, New Jersey.
23
     Ο.
          I see.
          And how long were you in that position?
24
25
          Two years.
     Α.
```

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- 1 Q. Okay. So you've been a police officer seven years?
- 2 A. I've been in law enforcement seven years.
- 3 Q. Law enforcement. Okay.
- 4 You said you're the lead agent on this investigation?
- 5 A. Yes, sir.
- 6 Q. Have you ever done a RICO investigation before this?
- 7 **A.** This is my first RICO investigation.
- 8 Q. Have you ever been a lead investigator before?
- 9 **A.** Yes.
- 10 Q. All right. You testified there was a -- a lot of what you
- 11 | testified to were materials recovered from social media
- 12 | accounts; correct?
- 13 A. That's correct.
- 14 **Q.** Instagram accounts?
- 15 **A.** Yes.
- 16 Q. Were they all Instagram accounts? Were there some
- 17 Facebook accounts, too?
- 18 **THE COURT:** I'm sorry. I'm having trouble hearing
- 19 you.
- 20 BY MR. ENZINNA:
- 21 **Q.** Were they all Instagram accounts, or were there Facebook
- 22 accounts, too?
- 23 A. Also Facebook.
- 24 | Q. Now, Facebook and Instagram accounts are public, aren't
- 25 they?

- 1 A. Well, some of them are, but you can also lock them so that
- 2 they're private.
- 3 Q. Okay. Do you know if the accounts that you have testified
- 4 | about -- that you testified belonged to the defendants, were
- 5 | those locked, do you know?
- 6 **A.** Some of them were. Some of them had publicly accessible
- 7 media on them.
- 8 Q. Okay. Now, you also testified that you highlighted
- 9 certain parts of the social media exhibits with those little
- 10 red boxes.
- 11 **A.** Yes.
- 12 Q. And those boxes reflect information that you believe is --
- 13 | supports your -- the allegations about the defendants'
- 14 (indicating) criminal activity; correct?
- 15 **A.** Yes.
- 16 Q. So those are just excerpts of the --
- 17 **A.** Yes.
- 18 | Q. -- social media accounts?
- 19 **A.** They're just excerpts, not the entire package.
- 20 **Q.** And now, I noticed on the social media accounts -- and I
- 21 | apologize. I'm not very technologically savvy to pull this up.
- 22 But we talked about the page numbers of the social media
- 23 accounts.
- 24 Do you recall that?
- 25 **A.** Yes.

- 1 Q. And how they had page numbers up in the corner?
- 2 **A.** Yes.
- 3 **Q.** And those page numbers weren't sequential, were they?
- 4 **A.** No.
- 5 Q. Like, they would skip from 1 to 5 to 112 and so on;
- 6 correct?
- 7 A. Yeah. They were selected excerpts from the entire
- 8 search warrant download.
- 9 **Q.** So, again, those are excerpts?
- 10 **A.** Yes.
- 11 Q. Actually, let me see if I can do this.
- Okay. While that's booting up, we can talk about
- 13 | something else.
- 14 You say you've been in ATF five years?
- 15 **A.** Yes.
- 16 | Q. Is that all in Baltimore?
- 17 **A.** Yes.
- 18 Q. So you've been in Baltimore five years?
- 19 **A.** Yes.
- 20 Q. Okay. I'm going to pull up a document that was marked as
- 21 | SM Exhibit 1, and I believe that's a Facebook account that you
- 22 | testified that you believe belonged to Dante Bailey.
- 23 **A.** Yes.
- 24 Q. Now, let me ask you about that.
- 25 You talked about who -- whose accounts these were.

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```
Now, when you obtained these records from the companies,
 1
     from Facebook, does Facebook tell you whose account it is?
 2
          No. They just provide the contents of the account.
     Α.
 3
         Okay. So what you know is -- well, for example, on the --
 4
 5
     well, I'm . . .
              MR. ENZINNA: It stopped. It does not seem to be --
 6
              THE COURT: Can the Government be of assistance?
 7
              MR. ENZINNA: -- pulling up the picture.
 8
          (Counsel conferred.)
 9
              MR. ENZINNA: We'll do it the old-fashioned way. This
10
11
     is Page 1.
              THE COURT: All right. If we can switch over to the
12
     other system.
13
              MR. ENZINNA: That doesn't seem to be working either.
14
15
    Maybe it's me.
16
              THE COURT: There's something up on my screen.
17
              THE CLERK: It's on.
              MS. WHALEN: It's not coming up on this screen.
18
          (Counsel conferred.)
19
              MR. ENZINNA: It's not on mine.
20
              MS. WHALEN: It's not on this screen.
21
              THE COURT: Now it's not on anything. Ms. Moyé.
22
23
              MR. ENZINNA: Can everyone see it now? I think.
              THE COURT: Right now what's up on my screen appears
24
     to be a page from Facebook.
25
```

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```
But do you have it?

MR. ENZINNA: Perfect. That's exactly right.
```

I apologize, Your Honor. Apparently when I put my pad on the paper -- on the table, I hit the "off" switch.

THE COURT: I've done things like that.

MR. ENZINNA: Ms. Whalen called herself the queen of technical difficulties. Together we are a dangerous combination.

9 BY MR. ENZINNA:

- 10 Q. All right. This is Page 1 of SM Exhibit 1.

 11 Do you recognize that?
- 12 **A.** Yes.

3

4

5

6

7

- 13 Q. This is a -- an account that you said you believed
- 14 | belonged to Dante Bailey; correct?
- 15 A. That's correct.
- 16 Q. And you based that on the name on the account?
- 17 **A.** Registered name, e-mail, and the content contained in the search warrant.
- 19 Q. When you say "the content," what do you mean by that?
- 20 A. Numerous, numerous pictures, things of that nature, of
- 21 Dante Bailey, videos, selfie-mode videos, stuff like that.
- 22 Q. But there were pictures on this account that were not
- 23 Dante Bailey; correct?
- 24 **A.** Yes.
- 25 **Q.** And Dante Bailey's picture appears on accounts that you

- 1 don't believe belong to him; correct?
- 2 A. That's correct.
- 3 | Q. Okay. All right. Now, if you'll notice in the top corner
- 4 of the page, it says "Page 1." And I'm going to scroll down.
- 5 You'll see it jumps to Page 307.
- 6 Do you see that?
- 7 **A.** Yes.
- 8 Q. So that means there are 305 pages in between there that
- 9 | are not part of this exhibit; correct?
- 10 **A.** That's correct.
- 11 Q. Do you know what was on those pages?
- 12 A. Same thing that's on a lot of the other pages, comments,
- 13 ID numbers, things that are specific to Facebook, such as like
- 14 | coding and stuff like that, links, photographs. I think this
- 15 is a six-year search warrant return, so there's literally
- 16 | thousands of pages.
- 17 Q. Okay. But the ones that you thought were useful to your
- 18 | case are the ones you put in here; correct?
- 19 **A.** Yes, sir; excerpts.
- 20 **Q.** Okay. Now, look at the first entry on that second page,
- 21 | Page 307. You see it says -- under the word "time," it says
- 22 "2011-09-27."
- 23 A. Correct.
- 24 **Q.** That means that was posted in 2011; correct?
- 25 A. That's correct.

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- 1 Q. Now, you said it was a six-year search warrant, so it went
- back six years; right?
- 3 **A.** That's correct.
- 4 **Q.** To 2011?
- 5 **A.** Yes.
- 6 Q. And that red box up there at the top, that's what we
- 7 | talked about earlier, the highlighting that you did?
- 8 **A.** Yes.
- 9 **Q.** And -- okay.
- 10 All right. Let me go to . . .
- 11 Page 375, do you see that?
- 12 **A.** Yes.
- 13 Q. And I believe -- highlighted on this page, you've
- 14 | highlighted two posts; right? And they're dated 2013?
- 15 **A.** Yes.
- 16 **Q.** I thought Mr. Bailey was in prison in 2013.
- 17 A. I don't recall as I sit here when he was in prison.
- 18 Q. Okay. All right. Now, let me go to Social Media
- 19 Exhibit SM-6. That's an Instagram account.
- 20 Do you recall seeing this yesterday?
- 21 **A.** Yes.
- 22 Q. And that's an Instagram account that I believe you
- 23 | testified you believe belongs to Dante Bailey; correct?
- 24 **A.** Yes.
- 25 | Q. Okay. I'll jump up ahead to Page 127.

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- Again, I'm going to jump from 1 to 60, Page 1 to Page 2. 1 2 That's because these were excerpted; right? Yes. Α. 3 Okay. Let me jump to Page 127. 4 5 You testified about this page yesterday. Do you recall that? 6 7 Yes. Α. And you said it was a picture of a firearm. But you used 8 an adjective, and I'm afraid I didn't hear what you said. 9 What kind of firearm did you say it was? 10 11 A handgun. Α. I thought you might have said something like a silver 12 13 firearm or something like that? It appears to be silver to me. 14 Α. 15 I may have misheard you. 16 So that's a photograph of a gun; correct? 17 Correct. Α. Do you know if it's a real gun?
- 18
- Sitting here, just from a photograph, no, I couldn't tell 19
- 20 you if it's a real qun or not.
- 21 Does the fact that a photograph of a gun is posted on this
- 22 account -- let's assume this account was Mr. Bailey's.
- 23 the fact that there's a photograph of a gun on that -- posted
- to that account mean that Mr. Bailey had a gun? 24
- 25 No. Α.

- 1 Q. You can post a picture to your own account; right?
- 2 A. Yes, you can.
- 3 | Q. You can pull a picture off the Internet and post it on
- 4 | your account; right?
- 5 **A.** Yes, you can.
- 6 Q. All right. Now, you also testified that the wiretap discs
- 7 | that you looked at were selected excerpts from the wiretaps;
- 8 | correct?
- 9 A. That's correct.
- 10 Q. So you recorded telephone calls on these different lines
- 11 over a period of months; correct?
- 12 A. That's correct.
- 13 Q. And you put on the disc and into these exhibits some of
- 14 | those calls that you intercepted; correct?
- 15 A. That's correct.
- 16 **Q.** And not others?
- 17 A. That's correct.
- 18 Q. Again, that was a decision you all made as far as what
- 19 | would be on those exhibits?
- 20 A. Yes, correct.
- 21 **Q.** Okay. All right. Now, there were a lot of photographs of
- 22 | the defendants and other people together in different places,
- 23 different poses, doing different things.
- 24 You -- I believe you talked about a couple of different
- 25 | groups. One was called the 5200 boys?

- 1 A. Yes. There is a group associated themselves with 5200.
- 2 Q. Okay. And I think one was called the 4600 boys?
- 3 **A.** I don't believe I testified to anybody who was a 4600 boy.
- 4 Q. Okay. And one was called MMP?
- 5 A. That's correct.
- 6 Q. Okay. What's the difference between those groups?
- 7 A. Well, MMP would be the Murdaland Mafia Piru for people
- 8 that we could identify or learn through the investigation were
- 9 a member of that.
- 10 5200 boys were associates from the area that essentially
- 11 | function as a part of the organization but -- you know, I don't
- 12 know for sure if they took the oath and were indoctrinated in
- 13 it or not.
- 14 **Q.** A part of what organization?
- 15 **A.** The Murdaland Mafia Piru.
- 16 Q. So it's your testimony that the 5200 boys were a subset of
- 17 the MMP?
- 18 A. No, that's not my testimony.
- 19 Q. Okay. Can you explain.
- 20 **A.** That they essentially function in the same area, albeit
- 21 | selling narcotics, committing acts of violence, alongside the
- 22 gang members.
- 23 **Q.** Were there people who were in both groups?
- 24 **A.** I think most people from the area that considered
- 25 | themselves to be a 5200 boy would consider themselves that, but

- 1 | some of the 5200 boys may have also been formal gang members.
- 2 Q. Former gang members?
 - A. Formal.

- 4 Q. Formal gang members.
- 5 So there were people who were in both groups?
- 6 A. Yeah, you can say that.
- 7 | Q. Okay. All right. Now, MMP, Murdaland Mafia, did you
- 8 | investigate whether anyone had tried to form any kind of legal
- 9 entity called Murdaland Mafia, like a corporation?
- 10 A. I don't think so.
- 11 Q. Or an LLC, limited liability company?
- 12 **A.** No.
- 13 Q. Would it surprise you to find -- to learn that there was
- 14 | an LLC called Murdaland Mafia?
- 15 **A.** No, it would not, because several members were also
- 16 | involved in rap and music. So it wouldn't surprise me if they
- 17 | named an LLC Murdaland Mafia to do their music under.
- 18 Q. Would it surprise you if there was an LLC called
- 19 | Murdaland Mafia that did not involve any of the defendants in
- 20 | this case or any of the people alleged to be part of the
- 21 | Murdaland Mafia Piru?
- 22 MS. PERRY: Objection, Your Honor.
- 23 THE COURT: Do you want to come up to the bench.
- 24 (Bench conference on the record:
- 25 **THE COURT:** There is an objection?

```
Your Honor, the objection is just that the
 1
              MS. PERRY:
     witness has already testified that he did not know about an
 2
     LLC, and any further questions just call for speculation on the
 3
     part of the witness as to what may or may not have existed.
 4
 5
     He's testified that he does not know about the LLC, if there is
     one.
 6
 7
                          And I assume you have a basis for asking
              THE COURT:
     this question?
 8
              MR. ENZINNA:
                            I do.
 9
                          Okay. Given that the witness's first
10
              THE COURT:
11
     answer explained his lack of surprise in relation to rap music,
     I think Mr. Enzinna is entitled to follow up and ask about
12
13
     another entity that apparently has nothing to do with these
     defendants.
14
15
              I'm overruling the objection.)
16
          (Bench conference concluded.)
17
              THE COURT: Go ahead, Mr. Enzinna.
18
     BY MR. ENZINNA:
          So my question was: Would it surprise you to learn that
19
20
     someone else had formed an LLC called Murdaland Mafia?
          Would not surprise me.
21
     Α.
22
          Would not.
     Q.
                      Okay.
23
          Nothing illegal about that, is there?
24
     Α.
          No.
25
          Okay. There's nothing illegal about being part of a group
```

```
called Murdaland Mafia, is there?
 1
 2
          No.
     Α.
          All right. I'd like to show you a couple of things.
 3
          First of all, I want to show you -- show you a document
 4
 5
     you testified about earlier marked IC-110.
          (Counsel conferred.)
 6
          (Video was played but not reported.)
 7
     BY MR. ENZINNA:
 8
 9
          Agent Aanonsen, you hear the person rapping in the
10
     background?
11
     A.
          Yes.
          Who's that?
12
     Q.
13
     Α.
          Dante Bailey.
14
     Q.
          Do you recognize the song?
15
          No.
     A.
16
          Do you know if it's a song Mr. Bailey wrote called "Boss"?
17
     Α.
          Could be.
18
              MR. ENZINNA: All right. Can we play 125. Thank you.
19
          (Video was played but not reported.)
20
     BY MR. ENZINNA:
21
          Was that Dante Bailey rapping in the background?
          It was.
22
     Α.
23
          Do you know what song it was?
          I recognize it. I don't know the exact name.
24
25
          Okay. All right. Now I'd like to show you a YouTube
```

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```
video that you testified about earlier.
 1
          (Video was played but not reported.)
 2
     BY MR. ENZINNA:
 3
 4
          Agent Aanonsen . . .
 5
          (Video was played but not reported.)
     BY MR. ENZINNA:
 6
          Do you see this on the screen? It says "patisdope.com"?
 7
     Q.
          I see it.
 8
     Α.
          Do you know what that is?
 9
     Q.
10
         Must be a YouTube channel.
     A.
11
          A YouTube channel. Are you familiar with the channel at
     Q.
     all?
12
          Just this one video.
13
     Α.
          (Video was played but not reported.)
14
15
     BY MR. ENZINNA:
16
          Okay. So this video, that was Mr. Bailey rapping in the
17
     first part of the video; correct?
18
     Α.
          Yes.
19
         About Forest Park?
20
         Yes.
     Α.
21
          Are you familiar with rap music at all?
          I've heard it.
22
     Α.
          Okay. Have you ever heard the term "keep it real" in the
23
     context of rap music?
24
```

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I've heard the term.

25

Α.

- 1 Q. Do you know what it means?
- 2 A. I don't know.
- 3 | Q. Is it common for rappers to assume a persona in their
- 4 music?
- 5 MS. PERRY: Objection, Your Honor.
- 6 MR. ENZINNA: I'll withdraw it.
- 7 BY MR. ENZINNA:
- 8 Q. So this individual here on the left-hand side of the video
- 9 screen, do you recall I showed you the opening credit? It
- 10 said, "Pat is Dope." There is a cartoon of an individual. It
- 11 | looked sort of like this person; right?
- 12 **A.** Yes.
- 13 Q. And he just said it. This is "Pat is Dope"; right?
- 14 **A.** Yes.
- 15 Q. So it appears to be his YouTube channel.
- 16 **A.** Yes.
- 17 Q. What's going on in this video?
- 18 A. He's interviewing Dante Bailey.
- 19 **Q.** About his music?
- 20 A. He -- interviewing him about the general area and the
- 21 music.
- 22 **Q.** Okay.
- 23 A. He said, "Tell me about the area."
- 24 Q. All right. He said the Forest Park situation, the song,
- 25 the anthem?

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```
A.
          Uh-huh.
                   Uh-huh.
 1
          (Video was played but not reported.)
 2
     BY MR. ENZINNA:
 3
          That's where we stopped the video earlier; right?
 4
     Q.
 5
     Α.
          Yeah.
          Where he talked about teams for money and murder.
 6
          (Video was played but not reported.)
 7
              MR. ENZINNA: Your Honor, before I get too much
 8
     further into this video, I believe that the jury was given a
 9
     transcript.
10
11
              THE COURT:
                          There is a transcript.
              MR. ENZINNA: And I would encourage the jurors to
12
13
     follow along with this. I'm actually on the second page of the
     transcript now.
14
15
              THE COURT:
                          This is YT-14.
16
              MR. ENZINNA: YT-14-T.
17
              THE COURT:
                         Page 33.
18
          (Video was played but not reported.)
19
     BY MR. ENZINNA:
20
          So here he's talking about dropping mix tapes every
     Friday. Do you know what he's referring to?
21
22
          Songs that he's put together.
     Α.
          Are these recordings that they are releasing and trying to
23
     get people to buy?
24
25
          They look like album covers.
```

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```
(Video was played but not reported.)
 1
     BY MR. ENZINNA:
 2
          So right there he talks about the only place you'll see
 3
     Blood, Crips, and BGF together. Those are three different
 4
 5
     gangs; right?
 6
     A.
          Yes.
 7
          The Bloods, the Crips, and the BGF?
 8
     Α.
          Yes.
          And the Bloods and the Crips in particular are enemies;
 9
     correct?
10
11
          Yes; but, I mean, they'll work together towards a general
     cause, especially if it's about making money.
12
13
     Q.
          I see. Okay.
          (Video was played but not reported.)
14
15
     BY MR. ENZINNA:
16
          So there he says, "September 18th, Come to the show."
17
     he's advertising a show; correct?
18
     Α.
          Sounds like it.
          (Video was played but not reported.)
19
20
     BY MR. ENZINNA:
21
          Agent Aanonsen, let me switch gears a little bit.
22
          You talked earlier about the investigative methods that
23
     were used in this investigation; correct?
24
     Α.
          Yes.
```

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And one of those was cooperating witnesses; right?

- 1 A. That's correct.
- 2 Q. And one of the cooperating witnesses that you used in this
- 3 case was William Banks; correct?
- 4 A. That's correct.
- 5 Q. And you also talked earlier about -- well, now,
- 6 William Banks was a cooperator for some time, wasn't he? Do
- 7 | you know how long he was a cooperator?
- 8 A. I don't recall the exact amount of time he was a
- 9 cooperator, but he was a cooperator for a while.
- 10 **Q.** Okay. And he was paid for his cooperation; correct?
- 11 A. Yes, he was.
- 12 Q. How much was he paid?
- 13 A. I don't know the exact figure, as I sit here right now.
- 14 Q. Okay. And you discovered that Mr. Banks lied to you;
- 15 right?
- 16 **A.** Yes.
- 17 MS. PERRY: Objection.
- 18 **THE COURT:** Do you want to come up to the bench.
- 19 (Bench conference on the record:
- 20 MS. PERRY: Your Honor, I believe that the line of
- 21 | cross that I expect Mr. Enzinna to go into will be about what
- 22 Mr. Banks may or may not have told Agent Aanonsen. I believe
- 23 | that's hearsay and outside the scope as Agent Aanonsen did not
- 24 | testify about his conversations with William Banks. And I
- 25 | think it's inappropriate for Agent Aanonsen to be crossed about

the conversations that he may or may not have had outside of 1 the courtroom with another witness. 2 I certainly think that it may be appropriate after 3 Mr. Banks testifies or if Agent Aanonsen testifies about the 4 5 content of his conversations or proffers he had with Mr. Banks. But at this point I don't believe a foundation has been laid 6 7 for conversations that were -- existed between Agent Aanonsen and Mr. Banks. 8 MR. ENZINNA: If it's a matter of foundation, I can 9 certainly lay the foundation. 10 11 THE COURT: You're not suggesting that it's not relevant for the jury to know if the Government witness told a 12 13 different story to the Government? MS. PERRY: I certainly do think that. I don't think 14 15 that -- I don't know that I agree that this is the appropriate 16 witness for that cross-examination, for that line of 17 cross-examination. Isn't this the person to whom the 18 THE COURT: statements that turned out to be incorrect were made or not? 19 20 MS. HOFFMAN: No. MS. PERRY: He's not. 21 22 THE COURT: He's not? 23 MR. ENZINNA: He is the case agent. He's the lead agent on the investigation, and he's effectively testifying as 24

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25

a summary witness.

```
Okay. All right. But he's not the person
 1
              THE COURT:
     to whom Mr. Banks made the incorrect statement.
 2
              MR. ENZINNA: Is that agent going to be called,
 3
     Your Honor?
 4
 5
              MS. HOFFMAN: So William Banks is going to be called
     as the next witness. And, of course, he will testify about the
 6
 7
     lies that he told, and defense counsel will have an opportunity
     to cross-examine him about those lies.
 8
                          Should he say -- should Mr. Banks say
              MS. PERRY:
 9
     something inconsistent or not admit those lies, then I would
10
11
     agree that extrinsic evidence of those would be admissible and
     we would make the witness available.
12
13
              But I don't believe it's admissible through this
     witness.
14
15
                         Right. Okay. Based on what's been
              THE COURT:
16
     represented, I'll sustain the objection on this witness.
17
    However, Mr. Banks certainly can be -- fairly can be
18
     cross-examined about any inconsistent statement that you all
19
    have reason to believe he made to another government agent.
20
              If he denies that, then whether it's Special Agent
     Aanonsen, as it turns out, or some other government agent, you
21
22
     would have the opportunity to call that person if the
23
    Government's not doing it and elicit the inconsistencies
    between what Mr. Banks has said.
24
```

Thank you.

25

MS. PERRY:

```
Other than that, we are, by the way, at
 1
              THE COURT:
     1 o'clock. This would be a good time for the lunch recess.
 2
              MR. ENZINNA: I'm done.
 3
              THE COURT: Okay. All right. Well, if you want to,
 4
 5
     say, stop, then will others of you be cross-examining?
 6
              MS. AMATO:
                         Yes.
                                I will, Your Honor.
 7
              THE COURT: All right. Then we'll resume after lunch.
    Okay.)
 8
          (Bench conference concluded.)
 9
              THE COURT: So we'll be not pursuing that line of
10
11
     questioning at this moment.
              Anything else, Mr. Enzinna?
12
13
              MR. ENZINNA: No, Your Honor. Thank you.
              THE COURT: Okay. All right. This would seem to be a
14
15
     good opportunity for the lunch recess. It's 1 o'clock.
                                                              We'll
16
     excuse the ladies and gentlemen of the jury until 2 o'clock.
17
              Thank you.
          (Jury left the courtroom at 1:03 p.m.)
18
              THE COURT: All right. The witness can step back down
19
20
     to the table.
              I understand there's an issue, Ms. Whalen, that you
21
     want to bring up before Mr. Banks testifies?
22
23
              MS. WHALEN: Would you like to do that now?
              THE COURT: Perhaps you could at least -- we can at
24
     least start on that if you want to tell me what the issue is.
25
```

MS. WHALEN: Sure. Your Honor, it's a motion in limine with regard to an event that the Government may or may not be -- I think they are questioning Mr. Banks about.

And the basis of this objection is that I believe for the first time that we have received information about the significance or the relevance of pictures that were provided to us from social -- or not from social media but from a phone of two dead people on the floor of an establishment -- I think it's a -- it looks like an establishment.

So in the <u>Jencks</u> material, the Government provided to us information from William Banks that he captured those pictures. He claims that he took them off of Mr. Bailey's phone, and he will speculate that these are two people that were killed in retaliation by Mr. Bailey for a robbery that occurred in January 2015 in which Mr. Bailey and Tiffany Bailey were the victims.

First, this is not an -- oh, I see the Government standing up.

MS. HOFFMAN: It may just save some time. I actually didn't plan to question him about that incident.

MS. WHALEN: Fair enough.

MS. HOFFMAN: Mostly just for timing reasons. There's a lot to cover other than that. But I would ask that if we agree not to ask him about that, that the defense would also agree not to ask him about that.

```
I will -- if I ask anything, it will not
 1
              MS. WHALEN:
    be about an alleged murder or about the individuals in the
 2
     photograph. But I understand where the Government's going.
                                                                   Ιf
 3
     I open the door, I open the door.
 4
 5
              THE COURT: All right.
              MS. HOFFMAN:
                            I guess -- sorry. It's more that if you
 6
 7
     are going to cross him on it, that we would like the
     opportunity to address it with him first.
 8
 9
              MS. WHALEN:
                           I am not going to cross-examine him about
     the allegation about a murder or the pictures of the two dead
10
11
    people.
              THE COURT: That's good enough. There's always
12
     redirect.
13
              All right. The gallery is excused.
14
15
              All right. We will take the lunch recess until 2:00.
16
          (Luncheon recess taken.)
17
              THE COURT: All right. We'll have the Special Agent
18
    back on the stand.
              We can bring in the jury.
19
          (Jury entered the courtroom at 2:07 p.m.)
20
              THE CLERK: Special Agent, you're still under oath.
21
              THE WITNESS: Yes, ma'am.
22
23
              THE COURT: All right, Mr. Sardelli.
              MR. SARDELLI: Thank you, Your Honor.
24
25
```

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CROSS-EXAMINATION

2 BY MR. SARDELLI:

- 3 Q. Good afternoon, sir.
- 4 A. Good afternoon, sir.
- 5 Q. You mentioned some Instagram accounts and some other
- 6 | social media. But correct me if I'm wrong: None of those
- 7 | accounts belonged to Randy Banks; am I correct?
- 8 A. Not that we identified.
- 9 Q. And as part of your testimony, you stated that your
- 10 understanding is my client has an a/k/a of Dirt?
- 11 A. That's correct.
- 12 Q. Did you do any research about whether or not there are
- 13 other Dirts in Baltimore and if there's multiple Dirts out
- 14 there?
- 15 A. It's possible.
- 16 Q. Are you aware that there's a Dirt out there named Darnell
- 17 | Ricardo Warnell?
- 18 **A.** No.
- 19 Q. You mentioned William Banks before, but obviously my
- 20 | client's name is Randy Banks. They're not relations; correct?
- 21 **A.** No.
- 22 | Q. You also mentioned a BP gas station. I think the address
- 23 | is 4608 Liberty Heights; am I correct?
- 24 A. That's incorrect.
- 25 **Q.** Okay. What's the address?

- 1 A. It's 5200 -- it's the intersection of 5200 Windsor Mill,
- 2 Forest Park.
- 3 Q. Okay. Is that near 4608 Liberty Heights?
- 4 A. It's a car drive.
- 5 Q. When you say it's a car drive, what do you mean?
- 6 **A.** It's probably about a ten-minute car drive.
- 7 **Q.** Okay. Are you familiar with a liquor store named
- 8 4 G Liquor?
- 9 **A.** That's -- yes.
- 10 Q. And that's -- again, I think it's at 4701 Liberty Heights;
- 11 | am I correct?
- 12 A. It's at that intersection, yes.
- 13 | Q. Okay. Was that part of your testimony earlier as well,
- 14 that area?
- 15 **A.** Yes.
- 16 Q. Okay. Are you aware of a person named Chris Kasper there,
- 17 | who works there and manages the place?
- 18 **A.** No.
- 19 Q. Are you aware that we've talked to him and he says
- 20 Randy Banks is a customer but not involved in any criminal
- 21 activity?
- 22 MS. PERRY: Objection.
- 23 **THE COURT:** Sustained.
- 24 BY MR. SARDELLI:
- 25 **Q.** You mentioned that my client, Randy Banks, was intercepted

- on some wiretap phone calls; is that correct?
- 2 A. Yes; one I can recall.
- 3 Q. Okay. And over the course of the investigation, how many
- 4 | intercepted calls do you think there were overall?
- 5 A. Thousands.
- 6 Q. And of those thousands of calls, there's only one call
- 7 | that you're going to present to the jury of Randy Banks; am I
- 8 | correct?
- 9 **A.** That's correct.
- 10 MR. SARDELLI: No further questions, Your Honor.
- 11 **THE COURT:** All right. Thank you.
- 12 Mr. Trainor.
- 13 CROSS-EXAMINATION
- 14 BY MR. TRAINOR:
- 15 Q. Good afternoon, Agent Aanonsen. I'm Harry Trainor, and I
- 16 represent Jamal Lockley.
- 17 **A.** Good afternoon.
- 18 Q. We spent -- on direct, you spent a lot of time on social
- 19 media accounts.
- 20 I just want to be clear. As to Jamal Lockley, am I
- 21 | correct that the only social media that is attributed to him as
- 22 | posting is the Instagram account that is in social media or
- 23 SM-12?
- 24 A. The Dirty Boy Droid account.
- 25 **Q.** Yes, which is SM-12 (indicating)?

- 1 **A.** Yes.
- 2 Q. All right. And that consists of just six pages containing
- 3 | three photographs and a few text messages relating to music and
- 4 | videos; correct?
- 5 A. That exhibit is an excerpt, correct.
- 6 Q. Yes. But the part that was admitted into evidence
- 7 | includes just the three photographs and a few text messages
- 8 | relating to music and video; correct?
- 9 **A.** Yes.
- 10 Q. Now, as the lead case agent in this case, you said this
- 11 | was your first RICO case as lead agent; am I correct?
- 12 A. That's correct.
- 13 Q. Have you handled other large wiretap cases before, or is
- 14 | this your first large wiretap case?
- 15 **A.** I've handled one other wiretap case.
- 16 Q. All right. During your direct testimony, you testified
- 17 | regarding identifying certain voices on certain lines; am I
- 18 right?
- 19 | A. You're right.
- 20 **Q.** And some of them were referred to as Wire B, C, and D,
- 21 | which are Baltimore County wires from 2015; am I right?
- 22 A. That's incorrect.
- 23 Q. Well, what is it?
- 24 A. It's Wire B, D, and G.
- 25 **Q.** I'm sorry. B, D, and G.

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- And those are for -- from 2015, the summer of 2015, and
- 2 | they were conducted by Baltimore County Police Department; is
- 3 that correct?
- 4 A. Along with Homeland Security Investigations.
- 5 Q. All right. And then when ATF took over and you became the
- 6 lead agent, that was -- was that 2016?
- 7 **A.** Yes.
- 8 Q. And so that was after the Baltimore County wire; correct?
- 9 A. That's correct.
- 10 Q. All right. And on -- prior to becoming lead case agent in
- 11 2016, you had never spoken with Jamal Lockley at all, had you?
- 12 A. That's correct.
- 13 | Q. So you had never heard his voice before, had you?
- 14 A. In 2015? No.
- 15 Q. All right. And do you have any special training in voice
- 16 recognition?
- 17 **A.** No. I identified the voices to the best of my ability.
- 18 | Q. All right. And you didn't use any voice-recognition
- 19 | software or anything like that, did you?
- 20 **A.** No.
- 21 **Q.** All right. Let me ask you about the phone numbers.
- 22 You identified Wire 3, which is a 2016 wire, as a phone
- 23 | that you've identified as belonging to Jamal Lockley?
- 24 **A.** Yes.
- 25 | Q. And that's on phone number (443) 709-7780?

- 1 A. That's correct.
- 2 Q. Did you get subscriber information for that phone?
- 3 A. Yes, we did.
- 4 | Q. All right. And whose name is it subscribed?
- 5 **A.** I don't recall as I sit here.
- 6 Q. Not Jamal Lockley, though, is it?
- 7 **A.** I don't recall.
- 8 Q. But you had that in your files, and it should be in one of
- 9 the exhibits; correct?
- 10 **A.** We attempt to identify every subscriber of every
- 11 telephone. It's sometimes very difficult. There's nothing
- 12 | saying that a phone has to be registered in your name. You can
- 13 go to Walmart and buy a phone and put it in James Bond if you
- 14 | want as the owner of the phone.
- 15 Q. Well, to answer my question, though, do you have that
- 16 information?
- 17 **A.** Yes.
- 18 | Q. All right. So you know who the subscriber is on that
- 19 | number that ends in 7780; correct?
- 20 A. Correct.
- 21 Q. All right. And you also have subscriber information on
- 22 | the phones from 2015, I would think.
- 23 | A. I believe we'd be able to get access to those records if
- 24 we don't have them.
- 25 **Q.** All right. And you know that the phone numbers that you

- 1 | say Jamal Lockley's voice was picked up on in 2015, on that
- 2 | wiretap, were different from the 2016 7780 number; correct?
- 3 **A.** That's correct. Frequently people that engage in
- 4 | narcotics trafficking change their phone numbers.
- 5 Q. All right. So that's your conclusion, but you don't know
- 6 that; correct?
- 7 A. He had a different phone number on TT3 than he did in
- 8 2015.
- 9 Q. But you had never spoken to Jamal Lockley -- well, you
- 10 | still haven't ever spoken to Jamal Lockley, have you?
- 11 A. No.
- 12 | Q. All right. And so the only voice that you have to compare
- 13 to what is on the recorded calls that you listened to was some
- 14 other recording; correct?
- 15 A. I believe you're referring to recorded jail calls.
- 16 **Q.** Yes.
- 17 **A.** Yes.
- 18 | Q. All right. And you had -- so whatever opinion you have
- 19 regarding comparing those, you say, in your judgment, they
- 20 | sound similar or the same?
- 21 A. That's correct.
- 22 Q. All right. Let me ask you about -- you mentioned seven or
- 23 | eight acts of violence that are part of this case.
- 24 And I heard you say that as lead case agent you have
- 25 | overseen collecting certain surveillance video of some of

1 those?

- 2 **A.** When it's available, we try to collect it. Normally
- 3 during acts of violence, the local police will take lead
- 4 investigation as they're the first to respond. During this
- 5 | investigation, we collected what evidence they had and if there
- 6 was any videos that we could get.
- 7 | Q. All right. So you've been a law enforcement officer for
- 8 seven years, and you've been with the ATF for five?
- 9 **A.** That's correct.
- 10 Q. And you've been a lead case agent in at least one other
- 11 | case; correct?
- 12 **A.** Yes.
- 13 **Q.** Would it be fair to say that a basic investigative
- 14 | technique after a shooting, say that there's a body lying in
- 15 | the street, that you'd look around in the neighborhood and
- 16 determine what CCTV cameras are available and collect that
- 17 evidence?
- 18 A. Absolutely.
- 19 **Q.** All right. Absolutely.
- 20 Was that done on the April 28th, 2016 shooting of
- 21 Mr. Anthony Hornes?
- 22 A. I wasn't the first to respond to the scene. We adopted
- 23 | that case. The Homicide detectives who took control of that
- 24 | case, I'm sure they make it as part of their course to go out
- 25 and canvass the area as a general part of practice and look for

```
video or things of that sort.
 1
 2
          You're sure? Is that because you asked the case agent and
     Q.
     he told you that?
 3
          I didn't ask him, no.
 4
 5
          All right. So you didn't -- although you oversaw that
     Q.
 6
     investigation, you didn't actually participate in it?
          No.
 7
     Α.
          And there is no CCTV video collected of that shooting; am
 8
 9
     I correct?
          That's correct. I'm not aware if there was a camera there
10
11
     or not.
          There isn't any. Thank you.
12
13
     Α.
          You're welcome.
14
              THE COURT: Thank you, Mr. Trainor.
              Ms. Amato?
15
16
              MS. AMATO: Thank you, Your Honor.
17
              And just before I start, is this set so if I put a
     document on the screen here, that it will show up on all the
18
     screens? Or do I have to press a button somewhere?
19
20
              THE CLERK:
                          No.
                          I think Ms. Moyé is taking care of it.
21
              THE COURT:
              MS. AMATO:
                         Okay.
22
                                 Thank you.
23
                             CROSS-EXAMINATION
     BY MS. AMATO:
24
```

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Good afternoon.

- 1 A. Good afternoon.
- 2 Q. Now, yesterday you were -- and today you were shown
- 3 | various photographs on direct examination, and you were asked
- 4 | for some of those photographs to identify the location of where
- 5 those photographs were taken.
- 6 Do you remember that?
- 7 **A.** Yes.
- 8 Q. All right. And you were also shown a photograph
- 9 | yesterday, which was -- it's Government's IC-58, and I'm going
- 10 to put that on the screen and try to zoom out.
- 11 And you were asked to identify Mr. Anderson in this
- 12 photograph; correct?
- 13 A. Correct.
- 14 Q. All right. And you've identified Mr. Anderson as the
- 15 | individual on the left side of the photograph (indicating)
- 16 | wearing the green shirt?
- 17 **A.** That's correct.
- 18 **Q.** Now, you were not asked as to this photograph where this
- 19 | was taken, were you?
- 20 A. I was not.
- 21 | Q. All right. Now, are you familiar with rap studios in the
- 22 District of Columbia area?
- 23 **A.** No.
- 24 | Q. All right. So you would not be able to identify which rap
- 25 | studio this photograph was taken at.

- 1 **A.** No.
- 2 Q. You were also shown today Government's IC-126, which was a
- 3 | Flipagram video of a rap song.
- 4 Do you remember that one?
- 5 **A.** Yes.
- 6 Q. It started out with a lion. Do you recall that?
- 7 **A.** Yes.
- 8 Q. And I'm just going to show you a screenshot, and I'm going
- 9 to mark this as Defense Anderson Number 1. And I've shown it
- 10 | already to Government counsel.
- 11 I'm going to introduce it at this time.
- 12 You recall in IC-126, it was a song titled "Da Boss";
- 13 | correct?
- 14 A. Correct.
- 15 Q. All right. And there were several -- it was basically
- 16 | still-shot photographs; correct?
- 17 **A.** Yes.
- 18 Q. There was no one that was actually singing live -- well,
- 19 | singing, so to speak, and being recorded as the person was
- 20 | singing; correct?
- 21 **A.** It was a series of photographs played to music.
- 22 **Q.** Right. Right. And so this photograph, it's not very
- 23 | clear, but you remember this photograph which has the name
- 24 | "Fat Tony, Da Boss"; correct?
- 25 **A.** It's extremely hard to make out in this photo, but I

```
remember that one.
 1
          And -- all right. Unless -- I mean, do you want me to
 2
     Q.
     bring the photograph to you?
 3
          No.
 4
     Α.
 5
          Okay. All right. And you have no personal knowledge as
     Q.
     to who actually decided to take this photograph and include it
 6
     in the rap video, do you?
 7
          No.
 8
     Α.
          All right. And you have no personal knowledge as to who
 9
     Q.
     decided to actually write the words "Fat Tony, Da Boss" on this
10
11
     photograph, do you?
12
     Α.
          No.
13
              MS. AMATO: All right. I have no further questions.
14
              Thank you.
15
              THE COURT:
                          Thank you.
16
              Mr. Hazlehurst.
17
              MR. HAZLEHURST: Thank you.
          (Counsel conferred.)
18
              MR. HAZLEHURST: I apologize, Your Honor.
19
20
              THE COURT:
                          That's all right.
21
          (Counsel conferred.)
22
                             CROSS-EXAMINATION
23
     BY MR. HAZLEHURST:
          Good afternoon, Agent.
24
          Good afternoon.
25
     Α.
```

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- 1 Q. In your direct examination, you referred to what is
- 2 | identified as Exhibit SM-13; is that correct?
- 3 **A.** That's correct.
- 4 Q. And you identified that person as Shakeen Davis; is that
- 5 | also correct?
- 6 A. That's correct.
- 7 **Q.** And that is a social media posting of a photo?
- 8 A. Yes.
- 9 (Counsel conferred.)
- 10 BY MR. HAZLEHURST:
- 11 Q. I'll ask you to refer to Page 27 of the Instagram business
- 12 record. Can you tell, based on that, that this was posted on
- 13 January 14th of 2017?
- 14 **A.** Yes.
- 15 Q. Now, to your knowledge, was -- Mr. Davis was not arrested
- 16 or detained on January 14th of 2017; is that correct?
- 17 A. That's correct.
- 18 Q. Okay. Neither you nor any other law enforcement officer,
- 19 to your knowledge, arrested him or detained him in any way on
- 20 | that day?
- 21 A. No.
- 22 **Q.** Okay. So what is depicted in that photograph was never
- 23 | seized by the police or handled by the police, as far as you
- 24 know?
- 25 **A.** You're referring to the currency?

- 1 Q. What's in his hands; yes, sir.
- 2 **A.** No.
- 3 Q. And so you have never been able to examine what he is
- 4 | holding in his hands; is that correct?
- 5 A. That's correct.
- 6 Q. And you have no way of knowing whether that is real
- 7 | currency or potentially play currency; is that correct?
- 8 A. That's correct.
- 9 Q. You can't tell what's on the back of those things that are
- 10 being held in his hand.
- 11 **A.** I can make out the number 100.
- 12 Q. Okay. But you can't tell what's on the back of the piece
- of paper that has 100 written on it; is that correct?
- 14 A. That's correct.
- 15 Q. Okay. And you cannot tell what the amount, even if it is
- 16 | real money, what the amount of money that is being held in
- 17 Mr. Davis's hands is; is that correct?
- 18 A. That's correct.
- 19 Q. So even if those -- if that showing 100 on the back is a
- 20 | \$100 bill, the rest of the bills, as far as you know, could be
- 21 | \$1 bills; is that correct?
- 22 A. That's correct.
- 23 MR. HAZLEHURST: No further questions, Your Honor.
- 24 Thank you.
- 25 **THE COURT:** All right. Thank you.

- Case 1:16-cr-00267-LKG Document 1357 Filed 11/21/19 Page 110 of 281 Your Honor, I have no questions of the 1 MR. DAVIS: 2 case agent at this time. THE COURT: All right. Thank you. 3 Any redirect from the Government at this time? 4 5 Just very briefly, Your Honor. MS. PERRY: REDIRECT EXAMINATION 6 BY MS. PERRY: 7 Agent Aanonsen, you were asked a number of questions about 8 the social media excerpts. 9 Can you remind us how long this investigation lasted. 10 11 From the beginning of 2015 with HSI in Baltimore County until we ultimately took down the case in the end of 2016. 12 13 And did you as part of your investigation review the entirety of the social media files as well as the entirety of 14 15 the iCloud account? And are you familiar with the other wire 16 calls and jail calls that were a part of the investigation? 17 I am. Α. And were there other things that were relevant to your 18
- 19 investigation that were left out of these exhibits for other 20 reasons?
- 21 Α. Yes.

25

- And were there other parts of these exhibits that were 22 23 left out for clarity or redundancy reasons that might be considered relevant to your investigation? 24
 - Yes, that's correct. Α.

- Q. I just want to ask you to turn for a moment to a conversation about the wiretaps and your identification of Mr. Lockley.
 - I believe that you testified that you were able to identify Mr. Lockley's voice.

And could you just remind us how you were able to identify the person speaking.

- A. Mr. Lockley's made a number of recorded jail conversations. I believe a lot of them I listened to, he says his name is "Jamal Jamal." He used his state identification number when he calls. And the person that's using that is almost always the same person in every single call, and that's how we identified it.
- Q. Did you also -- I believe you testified on direct that there were also video recordings where you were able to see

 Mr. Lockley's face and hear him speaking as well?
 - A. Yes. We conducted a controlled purchase with a confidential informant that was audio- and video-recorded in the vehicle. Mr. Lockley spoke in person. I reviewed that video.
 - Q. And based on your review of those calls and that video, were you able to identify what -- who you believe to be the speaker on the wiretap calls that we were just discussing earlier?
- **A.** Yes.

```
Court's indulgence.
 1
              MS. PERRY:
 2
              Nothing further. Thank you.
              THE COURT:
                         Okay.
                                 Thank you.
 3
              All right. My understanding is the Government may
 4
     wish to call this witness back for some different testimony at
 5
     a later point; but for now, the witness may step back down.
 6
              MS. PERRY:
 7
                         That is correct, Your Honor. Thank you.
              THE COURT: And I believe we'll have another witness,
 8
     but it would be appropriate to have a short recess in order to
 9
     get that witness on the stand; is that correct?
10
11
              MS. HOFFMAN: That is correct. I think just maybe
     five minutes.
12
13
              THE COURT: All right. Then we will excuse the jury
     for a few minutes.
14
15
          (Jury left the courtroom at 2:30 p.m.)
16
              MS. WHALEN: Your Honor, with the Court's permission,
17
     we can't see the witness box. So I may just sit in another
     location, if that's all right.
18
19
              THE COURT:
                          Oh, yes. You mean from where you are --
              MS. WHALEN: We can't see.
20
                         Yes. You're welcome to sit somewhere
21
              THE COURT:
     else.
22
23
              All right. We're going to take a recess generally.
     I'll excuse the gallery.
24
          (Recess taken.)
25
```

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```
All right. I believe we're ready to get
 1
              THE COURT:
     the jury and also get to our next witness.
 2
          (Jury entered the courtroom at 2:50 p.m.)
 3
              THE CLERK: Please stand.
 4
 5
              THE COURT: Ms. Hoffman, you're calling a witness?
              MS. HOFFMAN: Your Honor, the Government calls
 6
     William Banks.
 7
              THE CLERK: Please raise your right hand.
 8
               WILLIAM BANKS, GOVERNMENT'S WITNESS, SWORN.
 9
              THE CLERK: Please be seated. Please speak directly
10
11
     into the microphone.
              State and spell your full name for the record, please.
12
              THE WITNESS: William Garrett Banks, W-I-L-L-I-A-M,
13
     G-A-R-R-E-T-T, B-A-N-K-S.
14
15
              THE CLERK: Thank you.
16
                            DIRECT EXAMINATION
17
     BY MS. HOFFMAN:
18
          Good afternoon, Mr. Banks.
     Q.
          Good afternoon.
19
     Α.
20
          Do you go by any other names on the street?
          Trouble, Trouble5200.
21
     Α.
22
          Are you currently incarcerated?
23
     Α.
          I am.
          What offense were you convicted of?
24
          RICO, racketeering.
25
     Α.
```

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- 1 **Q.** Is that racketeering conspiracy?
- 2 **A.** It is.
- 3 **Q.** And did you plead guilty to that offense?
- 4 **A.** I did.
- 5 Q. Did you admit to two attempted murders as part of that
- 6 racketeering conspiracy?
- 7 **A.** I did.
- 8 Q. Did you plead guilty pursuant to a cooperation agreement
- 9 with the Government?
- 10 **A.** Yes.
- 11 Q. And what's your understanding of that agreement with the
- 12 Government?
- 13 A. That I will cooperate and testify truthfully, and
- 14 | everything as far as my time or the outcome of this is in the
- 15 hand of the judge.
- 16 Q. What benefit are you hoping to receive for testifying
- 17 truthfully?
- 18 A. Just some type of leniency from the judge.
- 19 **Q.** And what are you required to do under the plea agreement?
- 20 A. Testify honestly.
- 21 **Q.** What happens if you don't tell the truth?
- 22 | A. Then I guess I will perjure myself and be tried and
- 23 convicted.
- 24 | Q. And what would happen to your plea agreement if you lied
- 25 on the stand?

- 1 A. It will be terminated.
- 2 Q. If you tell the truth here today, what are you hoping will
- 3 happen?
- 4 A. I'm just -- I just want mercy. I want leniency.
- 5 Q. Have you been promised any specific sentence?
- 6 **A.** No.
- 7 **Q.** Who ultimately decides your sentence?
- 8 A. The judge.
- 9 Q. Could the judge sentence you up to the maximum allowed by
- 10 law?
- 11 **A.** Yes.
- 12 **Q.** How old are you?
- 13 **A.** 29.
- 14 Q. And where are you from?
- 15 A. From West Baltimore.
- 16 **Q.** Whereabouts?
- 17 A. Liberty Heights and Garrison, but I was hanging in
- 18 | Windsor Mill and Forest Park.
- 19 **Q.** At some point did you join a gang?
- 20 **A.** I did.
- 21 **Q.** What gang was that?
- 22 A. Initially it was Insane Red Devil Treetop Piru or IRD --
- 23 **Q.** Could you say the name of the gang one more time.
- 24 A. Insane Red Devil Treetop Piru, IRDTTP.
- 25 | Q. So IRDTTP stands for Insane Red Devil Treetop Piru?

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- 1 **A.** Yes.
- 2 **Q.** And is that a subset of a larger gang?
- 3 A. The Bloods.
- 4 Q. Why is it called Treetop Piru? What does Treetop Piru
- 5 mean?
- 6 A. Treetop Piru is basically a California set. And in the
- 7 | neighborhood, it's a lot of trees and they're all named -- all
- 8 the streets are named after trees.
- 9 Q. I want to talk to you about around 2005-2006 time period.
- 10 Did you get in trouble with the law around that time period?
- 11 **A.** I did.
- 12 **Q.** Were you convicted of a criminal offense or offenses?
- 13 **A.** I was.
- 14 Q. What were you convicted of?
- 15 A. Burglaries.
- 16 **Q.** Were you also convicted of robbery?
- 17 **A.** Oh, yes, I was.
- 18 **Q.** How old were you at the time?
- 19 **A.** 16.
- 20 Q. Were you sentenced to time in prison?
- 21 **A.** I was; ten years.
- 22 **Q.** And how much of that ten years did you actually serve?
- 23 **A.** Six years and nine months.
- 24 Q. Where did you serve your time?
- 25 **A.** Eastern Correctional Institution, Westover Correctional

- 1 Institution, ECI 420 annex, Central Laundry.
- 2 Q. And are those prison facilities in Maryland?
- 3 **A.** Yes.
- 4 Q. Did your gang affiliation change when you were in prison?
- 5 **A.** It did.
- 6 Q. What gang did you join?
- 7 **A.** In 2009, I joined Murdaland Mafia Piru.
- 8 Q. And does Murdaland Mafia Piru go by any other names?
- 9 A. MMP, Mafia, the Mob.
- 10 Q. Is that a subset of a larger gang?
- 11 A. Yes; of the Bloods.
- 12 Q. Who introduced you to MMP? If I call it MMP, will you
- 13 know what I'm talking about?
- 14 **A.** Yes.
- 15 **Q.** And who introduced you to MMP?
- 16 A. Murda.
- 17 Q. I'm showing you Government's Exhibit IND-20.
- 18 Who is that?
- 19 A. That's Murda.
- 20 Q. Can you see it on the screen in front of you there. Is it
- 21 | coming up?
- 22 A. Okay. Yeah, that's Murda.
- 23 Q. Was Murda also a member of MMP?
- 24 **A.** Yes.
- 25 | Q. Did he have a rank in the gang?

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- 1 A. He was a boss.
- 2 Q. What prison were you and Murda in when you joined MMP?
- 3 A. ECI, Eastern Correctional Institution.
- 4 | Q. And what did the initiation process entail when you
- 5 | switched over from IRDTTP to MMP?
- 6 A. Puttin' in work. I had to beat somebody up, stab
- 7 | somebody. I was already known, so everything just switched
- 8 over.
- 9 Q. And what does it mean to put in work?
- 10 A. Put in work, well, it -- it just means to commit violent
- 11 | acts. In prison, it's just probably beating or stabbing
- 12 | somebody. But on the streets, it's probably shootin', stabbing
- 13 somebody. Just violence.
- 14 Q. Can it also mean killing somebody?
- 15 **A.** Yes.
- 16 Q. What does the initiation process -- is the initiation
- 17 | process different for people who are on the street?
- 18 **A.** Yes.
- 19 **Q.** And what can it entail for people who are on the street?
- 20 **A.** Well, when you on the street, you get jumped in; then you
- 21 go kill somebody, and you get paperwork and you officially into
- 22 the mob.
- 23 | Q. Do you necessarily have to kill someone to get in?
- 24 **A.** Usually. But if you're known, it may not come to that.
- 25 You might just have to devil to get jumped in, though.

- 1 Q. And what does it mean to get jumped in?
- 2 A. The gang basically jumps you in for a certain amount of
- 3 | time, beats you up; and if you survive a certain amount of
- 4 | time, you know, you good. You in.
- 5 **Q.** Did you have to learn the history and rules of the gang?
- 6 **A.** Yes.
- 7 **Q.** Did you take an oath when you joined?
- 8 **A.** I did.
- 9 Q. What's the MMP oath called?
- 10 A. The murder code.
- 11 Q. Can you recite it for us.
- 12 A. My blood is my honor. My honor is my blood. If I ever
- 13 dishonor, you take my blood.
- 14 Q. When were you released from prison?
- 15 **A.** 2012.
- 16 Q. And did you remain a member of MMP on the streets after
- 17 | you were released?
- 18 **A.** I did.
- 19 Q. I want to ask you some basic questions about MMP and how
- 20 the gang operates.
- 21 Can you tell us what you know about when and how MMP got
- 22 started.
- 23 A. Basically, from what I understood, Gutta flew to
- 24 | California in 2009. He linked up with the 400 block Spruce
- 25 | Street Homies in California -- they also Treetop Pirus -- and

- 1 got the green light to start MMP.
- 2 Q. And do you know -- did you know Gutta yet at that time?
- 3 **A.** At the time, no.
- 4 Q. And do you know exactly what year he flew to California?
- 5 **A.** No.
- 6 Q. Was there another person who was involved in the formation
- 7 of MMP, to your knowledge?
- 8 A. Bad Guy.
- 9 Q. And do you know Bad Guy?
- 10 A. Not personally, no.
- 11 **Q.** Who was Bad Guy?
- 12 A. Bad Guy was a Big Homie of Treetop Piru who was convicted
- 13 | in an indictment and was in the feds.
- 14 Q. Was Bad Guy originally a member of TTP?
- 15 **A.** Yes.
- 16 **Q.** Was there an event that led to the formation of MMP?
- 17 | A. Him and Gutta linked and basically built MMP, because in,
- 18 | I think it was '08, TTP was indicted by the feds, and a lot of
- 19 | brothers basically were startin' to tell on each other and
- 20 | stuff. So they just -- they started something different to
- 21 | bring up a whole new generation of blood.
- 22 **Q.** And that was MMP?
- 23 **A.** Yes.
- 24 Q. Is it fair to say MMP is descended from Treetop Piru?
- 25 **A.** Yes.

- 1 Q. You mentioned Gutta a minute ago. Do you know Gutta
- 2 personally?
- 3 **A.** Yes.
- 4 Q. And do you see him in the courtroom today?
- 5 **A.** Yes.
- 6 Q. Can you identify an article of clothing that he's wearing
- 7 for the record.
- 8 A. Glasses and a black shirt.
- 9 Q. Does Gutta have other nicknames or street names?
- 10 A. Gutta Almighty, Wolf, Werewolf, Boss, Fat Back, The Don.
- 11 Q. Have you ever heard of him referred to as Big Man?
- 12 A. Yeah, a few times.
- 13 | Q. What was Gutta's role in founding MMP?
- 14 A. He basically ran the whole MMP. It -- it originated
- 15 really through him. He had -- he controlled the whole of
- 16 Maryland.
- 17 | Q. And I believe you mentioned a minute ago that he flew to
- 18 | California at a certain point to get approval from Bloods out
- 19 there?
- 20 **A.** Yes.
- 21 **Q.** And how did you hear about that?
- 22 **A.** He told me and he showed me the video of -- from when he
- 23 | went out there and was talkin' to the homies out there, him and
- 24 SP.
- 25 Q. And who is SP?

- 1 A. At the time he told me it was his brother, but he was --
- 2 he another mobster.
- 3 Q. I'm going to show you Government's Exhibit IND-81.
- Who's that?
- 5 **A.** SP.
- 6 Q. And did he have a rank in the gang?
- 7 A. Yeah. He was a boss.
- 8 Q. I'm going to show you Government's Exhibit IC-14.
- 9 And what are we looking at here?
- 10 A. That's Gutta on Piru Street in California, throwing up the
- 11 mob.
- 12 Q. And have you seen this photo before today?
- 13 **A.** Yes.
- 14 Q. And what's your understanding of where this photo comes
- 15 | from?
- 16 A. Well, from when they went to California to meet with the
- 17 homies.
- 18 Q. And when you say "they," are you referring to Gutta and
- 19 SP?
- 20 **A.** Yes.
- 21 Q. Did you become acquainted with Gutta when you were
- 22 | released from prison in 2012?
- 23 **A.** Yes.
- 24 Q. How did you become acquainted with him?
- 25 **A.** Well, when I was released from prison, I was given his

- 1 | number by one of the homies named Cheese. And he basically was
- 2 telling me to get in contact with him; he the Big Homie. And
- 3 when I met up with him, he said I was good. I was -- Cheese
- 4 | sent me; he knew he was good peoples. And there was nothin'
- 5 more to be said.
- 6 Q. And what does that mean to say you're good?
- 7 **A.** Like, basically, it's a stamp of approval.
- 8 Q. What was Gutta's position in MMP when you came home in
- 9 2012?
- 10 **A.** He was the big boss man or The Don.
- 11 Q. Did you learn more about MMP from Gutta when you came
- 12 home?
- 13 **A.** Yeah.
- 14 Q. Where does MMP operate? What are some of its main
- 15 territories?
- 16 | A. Well, the main headquarters is West Baltimore,
- 17 | Windsor Mill and Forest Park.
- 18 At the time it was East Baltimore, Boone Street. It was
- 19 | Lauretta and Warwick. It was Liberty Heights and Gwynn Oak.
- 20 And that's all I can recall right now.
- 21 Q. And which of those territories were you most familiar
- 22 | with?
- 23 A. Windsor Mill and Forest Park.
- 24 | Q. Did MMP members engage in criminal activities in those
- 25 territories?

- 1 **A.** Yes.
- 2 Q. Can you give us examples of some of the types of criminal
- 3 activities that MMP members engaged in.
- 4 A. Carry guns, shoot at people, sell dope and coke all day at
- 5 the BP gas station, you know.
- 6 Q. Is murder one of those activities?
- 7 **A.** Yes.
- 8 Q. What are some of the reasons that MMP members might commit
- 9 murders for the gang?
- 10 **A.** People might be trying to come into the territory and try
- 11 to sell drugs when they not supposed to. It might just be a
- 12 beef that somebody had with a homie, and then the whole gang
- 13 | get involved. It varies.
- 14 Q. Can you tell us how MMP is structured. What are the
- 15 | different ranks in MMP?
- 16 | A. Yeah. You got The Don, which is Gutta.
- 17 You got the boss, the underboss, the capo.
- 18 And then you got mobsters. That's like just regular
- 19 | homies with no rank.
- 20 Q. Are they sometimes referred to as soldiers?
- 21 **A.** Yes.
- 22 | Q. If you'll excuse me a minute, I'm going to show you
- 23 | Government's Exhibit DEM-1, but I'm going to walk it up to you.
- 24 MS. HOFFMAN: May I approach, Your Honor?
- 25 **THE COURT:** Yes.

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                              (Handing.)
 1
              MS. HOFFMAN:
     BY MS. HOFFMAN:
 2
          Is that your first time looking at that particular
 3
     document?
 4
 5
     Α.
          Yes.
          Is it an accurate reflection of the rank structure of MMP
 6
     that you just described to us?
 7
          Yes.
 8
     Α.
              MS. HOFFMAN: I'm going to now publish to the jury
 9
     Government's Exhibit DEM-1.
10
```

BY MS. HOFFMAN: 11

- Have you ever held a rank in the gang? 12
- 13 Α. Yes. I was a capo.
- Did you ever have a higher rank than that? 14
- 15 No. Α.
- 16 Can you name some of the bosses of MMP.
- 17 Bo, SP, Dirt, Gambino, Nizzy, and Murda. Α.
- 18 Did you know those people personally?
- 19 Yes. Α.
- 20 Do you see Dirt in the courtroom today?
- 21 Yes. Α.
- Can you point him out for the record. 22
- 23 He got on a yellow shirt. Α.
- And did he go by any other nicknames besides Dirt? 24
- 25 Sand. Α.

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- 1 Q. What territory did Dirt operate in?
- 2 A. Liberty Heights and Gwynn Oak.
- 3 Q. And you said he was a boss; is that right?
- 4 **A.** Yes.
- 5 Q. Was he a boss in that area?
- 6 **A.** Yes.
- 7 Q. I'm going to show you Government's Exhibit IC-52.
- 8 And what are we looking at here?
- 9 A. That's Dirt, Gutta, and Weezy.
- 10 Q. And do you know where they are in this photo?
- 11 A. Yeah. They in the trap house on Bowers and Norwood.
- 12 | Q. And what's a trap house?
- 13 **A.** A trap house is somewhere that you -- that you cook,
- 14 package, and sell drugs from.
- 15 Q. I'm going to show you Government's Exhibit IC-53.
- 16 And what are we looking at there?
- 17 | A. Gutta, Dirt, and Weezy throwing up the mob.
- 18 Q. And when you say "throwing up the mob," what do you mean?
- 19 **A.** They throwing up the set, throwing up MMP.
- 20 **Q.** I'm going to show you Government's Exhibit IC-65.
- 21 And it might be a little tough to see. Can you see it on
- 22 | the screen there?
- 23 **A.** Yes.
- 24 Q. Can you see who's in that photo.
- 25 **A.** Dirt, Gutta, and Dot.

- 1 Q. And is Gutta throwing up the M in that photo?
- 2 **A.** Yes.
- 3 Q. Do you see -- you mentioned Bo as a boss of MMP a minute
- 4 ago. Do you see him in the courtroom today?
- 5 **A.** Yes.
- 6 Q. And can you point him out for the record.
- 7 **A.** He got the white shirt on.
- 8 Q. And did he go by any other nicknames besides Bo?
- 9 A. Jim; heard him called Jim before, and then that's it.
- 10 Q. Did Gutta call him a specific name?
- 11 A. Just Jim and Bo, that I can recall.
- 12 **Q.** Was there a particular territory that Bo operated in?
- 13 A. Windsor Mill and Forest Park and Edmondson Village, too.
- 14 | Q. Is there any relationship between Bo and Gutta, to your
- 15 knowledge?
- 16 **A.** From what I understood, they were brothers.
- 17 **Q.** Do you know if that's blood brothers or gang brothers?
- 18 A. I'm not sure. I know gang for sure. But I was told that
- 19 they were actually brothers when we first met him, SP, and Bo.
- 20 **Q.** Showing you Government's Exhibit IC-58, and who's in this
- 21 photo?
- 22 **A.** Bo, Gutta, and I don't know the other dude, really.
- 23 Q. I'm showing you Government's Exhibit IND-53.
- Who's that?
- 25 A. Gambino.

- 1 Q. And is he one of the people who you mentioned is also a
- 2 boss of the gang?
- 3 **A.** Yes, he controlled the east side on Boone Street.
- 4 Q. And I'm showing you Government's Exhibit IC-35.
- 5 And is Bino pictured in this photo here too?
- 6 **A.** He is.
- 7 Q. I'm sorry. Did he sometimes -- you said his name was
- 8 Gambino. Did he sometimes go by Bino for short?
- 9 A. Yeah. Gambino, Bino, BG.
- 10 Q. And I'm going to show you Government's Exhibit IND-81
- 11 again. And you said this is SP; right?
- 12 **A.** Yes.
- 13 Q. Did he have any other nicknames?
- 14 A. Spence, Spittle.
- 15 **Q.** And you said he was a boss. What territory did he operate
- 16 in?
- 17 **A.** Windsor Mill and Forest Park.
- 18 Q. And you said you believed that he may also have been a
- 19 brother of Gutta?
- 20 **A.** Yes.
- 21 **Q.** Or at least he referred to him as a brother?
- 22 **A.** Yes.
- 23 | Q. I'm showing you Government's Exhibit IC-46.
- 24 And can you identify the people in this picture.
- 25 A. Tech, Dirt, Gutta, SP, and Hollywood.

- 1 Q. And who's Tech?
- 2 **A.** Tech is the first one with the white and black on.
- 3 Q. And was he in MMP at one point?
- 4 A. Yeah. He was a mobster back in like 2012.
- 5 Q. Did he -- did something happen? Did he leave the mob? Is
- 6 he no longer a mobster?
- 7 A. Yes. From what I understood, he was supposed to have
- 8 | ended up being a BGF.
- 9 Q. When Tech was a mobster, what territory did he operate in?
- 10 A. Liberty Heights and Gwynn Oak.
- 11 Q. And so who did he work under in Liberty Heights and
- 12 Gwynn Oak?
- 13 A. Under Dirt.
- 14 Q. I'm showing you Government's Exhibit IND-89.
- 15 And who's that?
- 16 A. That's Nizzy.
- 17 | Q. And you mentioned that Nizzy is a boss as well?
- 18 A. Yes; on Lauretta and Warwick.
- 19 Q. I'm going to show you Government's Exhibit IC-59. And can
- 20 | you tell us who's pictured in this photo.
- 21 A. Nizzy, Gutta, Little D, and Bo. I don't know the other
- 22 dude.
- 23 **Q.** Is Bo the one sitting on the right-hand side?
- 24 **A.** Yes.
- 25 **Q.** What's Nizzy doing with his hands?

- 1 A. Throwing up the mob.
- 2 | Q. What about Gutta; what's he doing with his hand?
- 3 **A.** He throwing up the mob.
- 4 Q. So those are two different signs, it looks like; right?
- 5 **A.** Yes.
- 6 Q. The sign that Gutta is doing, how does that -- can you
- 7 explain what that sign means.
- 8 A. It's the M and the P, so that's how they throw it up.
- 9 That's one way. And then it's the big M, and then it's like
- 10 | this (indicating).
- 11 | Q. And the hand sign that you just did like this
- 12 (indicating), why does that reference MMP?
- 13 **A.** That's just what I was taught. That's the mob. That's
- 14 how we throw it up, one of the ways to identify a mobster.
- 15 Q. So all three of those different hand signs reference MMP?
- 16 **A.** Yes.
- 17 Q. I'm showing you Government's Exhibit IC-93.
- 18 And who are we looking at here?
- 19 **A.** Gutta and Nizzy.
- 20 **Q.** And can you read what it says right here (indicating).
- 21 A. "Mafioso we shaggin'."
- 22 **Q.** And is that a reference to MMP?
- 23 **A.** As far as mafioso, yes.
- 24 Q. I'm showing you Government's Exhibit SM-3, Page 11, which
- 25 | has previously come into evidence as business records for

- 1 Ayinde Deleon's Facebook account.
- 2 And who are we looking at there?
- 3 A. That's Murda.
- 4 Q. And is he the same person you said brought you into MMP?
- 5 **A.** Yes.
- 6 Q. And what was his territory? What territory did he operate
- 7 in?
- 8 A. Liberty Heights and Gwynn Oak.
- 9 Q. Does MMP have rules? Are there rules of the gang?
- 10 A. Yeah. Basically, just ride for your brother, never
- 11 | cooperate with law enforcement, and never steal, never -- never
- 12 lie, never hate, you know.
- 13 Q. What was the -- I missed -- what was the first rule you
- 14 said?
- 15 **A.** Always ride for your brother.
- 16 | Q. And what does it mean to ride for your brother?
- 17 | A. Ride, just to have they back. If anything ever happens,
- 18 | always have they back.
- 19 Q. So if your brother is the victim of a shooting or a
- 20 murder, what are you required to do?
- 21 A. To retaliate.
- 22 **Q.** Is there a rule about the payment of dues?
- 23 | A. Yes; but it wasn't implemented strongly until Gutta was
- 24 | locked up.
- 25 **Q.** And can you explain that a little bit. What are -- when

- 1 dues were implemented, what would they be used for?
- 2 **A.** To send homies money in jail, pay for lawyers, pay for
- 3 bail, buy guns. Everybody put in, buy drugs, and we all break
- 4 | it down and flip the money.
- 5 Q. But they weren't rigidly implemented; is that what you're
- 6 saying?
- 7 **A.** No, not -- not all the time. Just when certain situations
- 8 were happening.
- 9 Q. Got you.
- 10 Are there sanctions for violating the rules of MMP?
- 11 **A.** Yes, and they -- and they varied depending on the severity
- 12 of your violation.
- 13 Q. Can you explain that. What are the different types of
- 14 sanctions?
- 15 **A.** It can be anything from gettin' beat up to gettin' killed
- 16 | to gettin' something called a hot dog where they'll slice your
- 17 | arm until it keloids up, and that's your sanction.
- 18 | Q. You mentioned -- well, let me back up.
- 19 You mentioned that one of the rules of the gang is that
- 20 | you should never cooperate with law enforcement; right?
- 21 **A.** Yes.
- 22 | Q. And what is the punishment for cooperating with
- 23 law enforcement?
- 24 A. Death.
- 25 **Q.** So what does it mean that you're here testifying today?

- 1 A. I'm a dead man walkin'.
- 2 Q. What's an example of something that might be punished by a
- 3 | beating or a hot dog?
- 4 A. Maybe not paying dues when they are implemented; stealing.
- 5 It was a particular time where some guns came up missin' from
- one of the homegirls' house. And Gutta thought that her sons,
- 7 you know, stole the guns and she was trying to protect her son.
- 8 And she kept protecting him saying he didn't do it. And she
- 9 ended up getting hot-dogged. So it was either accept the
- 10 sanction or die, so she ended up getting the hot dog. Took her
- 11 to the hospital and she had her keloid.
- 12 Q. Did you witness her get that sanction?
- 13 **A.** Yes.
- 14 Q. And who gave her that sanction?
- 15 **A.** Gutta.
- 16 Q. Is there MMP gang paperwork that lays out the history and
- 17 | rules of the gang?
- 18 **A.** Yes.
- 19 **Q.** And have you read it?
- 20 **A.** Yes.
- 21 Q. Who gave it to you?
- 22 **A.** Gutta.
- 23 Q. I'm going to walk up and show you for identification only
- 24 Government's Exhibit GP-2A. (Handing.)
- 25 Do you recognize that document?

- 1 **A.** Yes.
- 2 Q. What is it?
- 3 **A.** This is the paperwork, basically the backstory on the set
- 4 of how it got started, why it was started, and what it was
- 5 | supposed to stand for as the mob.
- 6 Q. And have you looked at it before coming in here today?
- 7 **A.** Yes.
- 8 Q. And did you -- was this one of the documents you read when
- 9 you came home from prison in 2012?
- 10 A. Yes, in 2012. This is what I was given up at Windsor Mill
- 11 and Forest Park. I sat in the apartment parking lot and read
- 12 it for about almost an hour.
- 13 | Q. And for identification purposes, can you just tell us what
- 14 | the first words on the first page are.
- 15 A. [Reading]: My all family I am. The new world order is
- 16 | the reconstruction of our family.
- 17 **Q.** Did MMP hold gang meetings?
- 18 **A.** Yes.
- 19 **Q.** Were they held regularly or only as needed?
- 20 A. As needed.
- 21 Q. And what were some of the locations where gang meetings
- 22 were held?
- 23 A. We've had meetings in one of Gutta's houses when he used
- 24 | to live on Seton Park, in the basement. We've met at the
- 25 | cemetery in Woodlawn to discuss gang dues and when they should

- 1 be paid and stuff like that.
- 2 But for the most part, as far as Windsor Mill and
- 3 Forest Park, everybody is around each other every day. So when
- 4 something goes on, we just talk about it.
- 5 Q. Was it important to keep one another apprised of what was
- 6 going on in the gang?
- 7 **A.** Yes.
- 8 Q. How could you tell whether someone else was a member of
- 9 MMP?
- 10 A. Well, the -- basically by your lingo, "What's mobbin'?"
- 11 You know, instead of saying, "What's up?" we say, "What's
- 12 mobbin'?"
- 13 **Q.** Are there MMP tattoos?
- 14 **A.** Yes.
- 15 Q. And can you give us some examples of MMP tattoos.
- 16 **A.** The M with the badge, lightning bolts, just a actual MMP
- 17 | spelled out was already tatted on me.
- 18 | Q. I'm going to show you Government's Exhibit IND-84.
- 19 Do you know who that is?
- 20 **A.** M-Easy.
- 21 **Q.** And what's the tattoo that he has under his eye?
- 22 **A.** A lightning bolt.
- 23 **Q.** And what does the lightning bolt signify for MMP?
- 24 A. That he's mobbin'.
- 25 Q. I'm showing you Government's Exhibit IND-3. And who is

- 1 this?
- 2 A. That's Gutta.
- 3 Q. And does he have MMP tattoos?
- 4 A. He got that M on his face. He got the lightning bolt on
- 5 his right cheek.
- 6 Q. I'm showing you Government's Exhibit IND-58. And who is
- 7 that?
- 8 A. That's Menace.
- 9 Q. Was he a member of MMP?
- 10 **A.** Yes.
- 11 Q. And did he -- does he have an MMP tattoo?
- 12 A. Yeah. He got the M in the middle of his face.
- 13 **Q.** Did he have -- what territory did he operate in?
- 14 A. Windsor Mill and Forest Park.
- 15 Q. Did he have a rank in the gang, do you know?
- 16 **A.** I think he was a top capo.
- 17 | Q. I'm showing you Government's Exhibit IC-110.
- 18 And what are we looking at here?
- 19 A. That's Gutta and Gambino.
- 20 **Q.** And is that an M tattoo on Gambino's back?
- 21 **A.** Yes.
- 22 Q. I'm showing you Government's Exhibit IC-9.
- Do you know who that is?
- 24 A. That's Gutta.
- 25 **Q.** And do you see at the top the tattoo on his -- the back of

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- 1 his neck that says "ABK"?
- 2 **A.** Yes.
- 3 Q. What does ABK stand for?
- 4 A. Anybody killa.
- 5 Q. Do you have -- I believe you mentioned a minute ago, you
- 6 do have MMP tattoos; is that right?
- 7 **A.** Yes.
- 8 Q. And what MMP tattoos do you have?
- 9 A. I got "Mafia" on my stomach, and I got "MMP" on my right
- 10 leg.
- 11 Q. Are there MMP colors?
- 12 A. Burgundy.
- 13 **Q.** And are there MMP gang handshakes?
- 14 | A. Gang "henjix"?
- 15 Q. Handshakes.
- 16 **A.** Oh, handshakes, yes.
- 17 | Q. Can you describe what the MMP handshakes are.
- 18 A. The MMP handshakes is basically just the pinky, you bring
- 19 | it down, you lock with the other pinky; and you come and lock a
- 20 B (indicating) or a P, and that's basically the handshake as a
- 21 mobster.
- 22 And the 5200 boys, the handshake is just the five deuce
- 23 | where you just go like this (indicating) and then come back and
- 24 lock the two fingers, 52.
- 25 Q. And does the 5200 boys -- does 5200 refer to the

```
1 | 5200 block of Windsor Mill Road?
```

- 2 **A.** Yes.
- 3 | Q. And you mentioned that was one of MMP's main territories?
- 4 **A.** Yes; and main drug shop.
- 5 | Q. I'm going to come back to the 5200 boys in a bit.
- But, first, I want to show you some pages from
- 7 Government's Exhibit SM-2, which has come into evidence as
- 8 Dontray Johnson's Facebook account. I'm going to show you
- 9 Pages 44, 46, 48, 50, 52, and 54.
- 10 And who's in that photo?
- 11 A. Gutta and Bino.
- 12 Q. Can you tell what they're doing?
- 13 **A.** It's like they in the middle of the handshake.
- 14 Q. All right. I'm going to go to 46 now.
- And I'm going to go to 48.
- Well, can you tell us what they're doing here.
- 17 **A.** They're a little further into the handshake.
- 18 Q. All right. I'm going to 48.
- 19 Are they further into the handshake here?
- 20 **A.** Yes.
- 21 Q. And 50, are they further into the MMP handshake there?
- 22 A. Yeah, it's basically complete.
- 23 **Q.** All right. 52 -- whoops.
- 24 And that's the same one. 54
- 25 So was that kind of a slideshow of the MMP handshake?

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- 1 **A.** Yes.
- 2 Q. And was it referred to in any way? What was it called
- 3 when someone did the MMP handshake?
- 4 A. Oh, it's called peacin' your homie.
- 5 Q. You mentioned the 5200 handshake. I'm going to show you a
- 6 | video. It's Government's Exhibit IC-137.
- 7 (Video was played but not reported.)
- 8 MS. HOFFMAN: Excuse us. We're having a little
- 9 technical difficulty.
- 10 BY MS. HOFFMAN:
- 11 Q. As I'm sure is evident to everyone in the courtroom, the
- 12 | video is sideways.
- Can you still see it, Mr. Banks?
- 14 A. Yes. It's a little hard to look at, but I can still see
- 15 it.
- 16 | Q. All right. I'm going to keep playing it, and hopefully
- 17 | we'll get this figured out at some point.
- 18 (Video was played but not reported.)
- 19 **BY MS. HOFFMAN:**
- 20 Q. Who is that?
- 21 A. That's Creams.
- 22 | Q. And do you see him here in the courtroom today?
- 23 **A.** Yes.
- 24 Q. Can you point him out for the record.
- 25 A. He got the blue striped shirt on.

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- 1 Q. And was he in MMP?
- 2 **A.** Yes.
- 3 Q. All right. I'm going to keep playing.
- 4 (Video was played but not reported.)
- 5 BY MS. HOFFMAN:
- 6 Q. Could you see what they just did with their hands?
- 7 **A.** They did the 5200 handshake.
- 8 Q. And who did he just do it with? Can you see who that is?
- 9 A. E-Money and Mugs.
- 10 (Video was played but not reported.)
- 11 BY MS. HOFFMAN:
- 12 Q. And can you see who's standing there now?
- 13 A. Yeah; Bill and Nick.
- 14 Q. And were they members of MMP?
- 15 **A.** Yes.
- 16 Q. Were E-Money and Mugs members of MMP?
- 17 **A.** Yes.
- 18 | Q. And where is this video filmed, by the way? Do you
- 19 | recognize this area?
- 20 A. Yeah; the BP gas station.
- 21 **Q.** Is this inside the store attached to the gas station?
- 22 | A. Yes, it's -- it's in -- right, the inside of the actual
- 23 gas station part.
- 24 MS. AMATO: Objection to the leading. There's been a
- 25 | lot of leading. I haven't been objecting, but I'm objecting

```
now.
 1
 2
              THE COURT: All right.
              MS. HOFFMAN: I'll try not to lead. I'll keep
 3
 4
     playing.
 5
          (Video was played but not reported.)
     BY MS. HOFFMAN:
 6
          Who is that, by the way?
 7
     Q.
          Bangout.
 8
     Α.
          And was he a member of MMP?
 9
10
         Yes.
     Α.
          We'll come back to him in a bit.
11
          What were the individuals who you just named doing in that
12
13
     video?
          They were peacin' each other.
14
15
          Are there -- I think you mentioned earlier that MMP
     Q.
16
     members would greet each other with, "What's mobbing?"
17
     Α.
          Uh-huh.
18
          Were there other MMP catch phrases that were used a lot?
19
          As far as to identify a mobster lingo-wise, no.
20
     "What's mobbin'?"
21
          Was there a way to say good-bye?
          Yeah. Keep your heart beatin' and double time.
22
     Α.
          And what did that mean?
23
          Basically, I love you; I love you, too.
24
25
          Was that specific to MMP?
```

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- 1 A. Yes; only us.
- 2 Q. What's the primary way that members of MMP made money?
- 3 A. As far as I know, drugs. I don't -- I don't know any
- 4 mobsters off the top that had a job, including myself.
- 5 Q. And what types of drugs did members of MMP sell?
- 6 A. It varies. Dope, coke, weed. Depends what area you're
- 7 | in. But Windsor Mill and Forest Park, it was just -- it was
- 8 dope and coke.
- 9 Q. What about Gwynn Oak and Liberty Heights?
- 10 **A.** They sold weed up there, but mainly weed and crack.
- 11 Q. And when you say "crack," is that crack cocaine?
- 12 **A.** Yes.
- 13 Q. You mentioned earlier that there was one area that MMP
- 14 | considered to be its headquarters?
- 15 **A.** Yes.
- 16 **Q.** And what area was that again?
- 17 A. Windsor Mill and Forest Park.
- 18 | Q. And you mentioned that there's a BP gas station there?
- 19 **A.** Yes.
- 20 **Q.** Have you spent time at that BP gas station?
- 21 **A.** Yes.
- 22 | Q. Was it common for members of MMP to congregate in that
- 23 area?
- 24 **A.** Yes.
- 25 | Q. I want to show you a few images from Google Maps.

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- 1 I'm going to show you Government Exhibit Map 34.
- 2 And can you tell what we're looking at here.
 - **A.** The map of the area, the headquarters.
- 4 Q. And I'm going to show you Government's Exhibit Map 23.
- 5 And what are we looking at here?
- 6 **A.** That's the BP where everybody hustles.
- 7 Q. What does it mean to hustle?
- 8 A. To sell drugs in our sense of hustling.
- 9 Q. You mentioned earlier that the number 5200 is -- refers to
- 10 the 5200 block of Windsor Mill Road, and I think you referred
- 11 to the 5200 boys. What are the 5200 boys?
- 12 **A.** 5200 boys are just -- it's the neighborhood. So even if
- 13 | they're not actually Pirus or Bloods, they're still rockin'
- 14 | with us. They 5200 boys. Like a lot of dudes are from the
- 15 | neighborhood that are mobbin', so it's just really all the
- 16 same.

3

- 17 Q. Were there some members of -- were there some 5200 boys
- 18 | who weren't actually members of MMP?
- 19 **A.** Yes.
- 20 **Q.** Were there some 5200 boys who were members of MMP?
- 21 **A.** Yes.
- 22 | Q. Did MMP members conduct drug transactions in this area?
- 23 **A.** Yes.
- 24 \ Q. And can you describe what the drug operation was like in
- 25 this area.

- 1 A. The drug operation was basically a one-stop shop, twenties
- 2 of crack, half and whole grams of dope.
- 3 Q. And was there -- was it mostly foot traffic or car
- 4 traffic?
- 5 A. It was car traffic. Basically a lot of out-of-towners.
- 6 People comin' right off the highway and come through to get
- 7 heroin or to get the coke from -- from various places all
- 8 around.
- 9 **Q.** Did you sell drugs in that area?
- 10 **A.** I did.
- 11 Q. And what drugs did you primarily sell?
- 12 A. I sold dope mainly, but I sold coke before as well.
- 13 Q. Did MMP members ever stash drugs or guns in this area?
- 14 **A.** Yes.
- 15 Q. Where were some of the places where they would stash guns
- 16 and drugs?
- 17 **A.** They would stash guns on the field across the street from
- 18 | the BP gas station, in trash cans at the BP gas station, the
- 19 barbershop on the side of the BP gas station, behind it,
- 20 sometimes on the other side where the stores were at. And
- 21 | sometimes they'll just have 'em in they car, in the trunk,
- 22 under the seat, in the glove compartment.
- 23 | Q. Did the employees at the BP gas station do anything about
- 24 that?
- 25 A. No.

- 1 Q. Why not, do you know?
- 2 A. I don't know if it was out of fear or just because they
- 3 liked us. They see it --
- 4 MS. AMATO: Objection; speculative.
- 5 **THE COURT:** Sustained.
- 6 BY MS. HOFFMAN:
- 7 Q. I'm going to show you Government's Exhibit IC-12.
- 8 And what are we looking at here?
- 9 A. That's Gutta and Melvin at the BP gas station.
- 10 Q. And do you recognize that graffiti there?
- 11 A. Yeah. That's -- that's the 'hood with the two M's in it
- 12 for Murdaland Mafia. GMB, Get Money Boys.
- 13 **Q.** Were there other locations near the BP gas station where
- 14 MMP members and 5200 boys would sell drugs?
- 15 A. The parking lot down the street that used to be called the
- 16 | Blue Fountains. I forgot what it's called now.
- 17 | Q. I'm going to show you, before you go further,
- 18 Government's Exhibit Map 34.
- And do you see the Blue Fountain apartments pictured here?
- 20 **A.** Yes. It's Gwynnbrook Townhome right behind -- yeah, the
- 21 | Blue Fountain apartment right behind the Gwynnbrook Townhomes.
- 22 | Q. And that was a location where people in the gang sold
- 23 drugs?
- 24 **A.** Yes.
- 25 **Q.** Any other locations that you know of?

- 1 A. Tucker Lane, Challedon, like all back in that area.
- 2 | Sometimes they would meet people back there. The junction,
- 3 | Walbrook Junction.
- 4 Q. Who were --
- 5 **A.** Can I --
- 6 Q. I'm sorry.
- 7 A. I don't remember the name of the street.
- 8 Q. Who were the main suppliers of heroin to members of the
- 9 | gang?
- 10 A. Bo and Gutta.
- 11 Q. And who were the main suppliers of cocaine and
- 12 | crack cocaine to the gang?
- 13 **A.** That would probably be Dirt in Gwynn Oak, but Gutta too.
- 14 | Q. When you -- when you sold drugs, where did you sell
- 15 primarily?
- 16 A. Primarily Windsor Mill and Forest Park and off of my
- 17 | phone.
- 18 Q. What do you mean when you say off your phone?
- 19 A. When I would meet the -- the plays or sales or customers,
- 20 I would give them a number to call me, just let me know that
- 21 | they want something so that we don't have to keep meetin' when
- 22 | it's hot.
- If they say they coming -- they get off the highway, I can
- 24 | redirect them somewhere else or something like that. So I just
- 25 | sell off of the phone and not always on the block.

- 1 Q. Was there a lot of customer traffic in that area?
- 2 A. Oh, yeah.
- 3 Q. And you mentioned earlier that out-of-towners would come
- 4 | through, I think, is what you said?
- 5 **A.** Yes.
- 6 Q. And how would you know they were out-of-towners?
- 7 **A.** The plates on they cars. They straight tell you: I'm
- 8 | from Virginia. I'm from Hagerstown. I'm from Frederick,
- 9 | Maryland, you know.
- 10 MS. AMATO: Objection to any hearsay, Your Honor.
- 11 **THE COURT:** That is how he got the impression. They
- 12 may or may not have been accurately relating where they came
- 13 from. Okay.
- 14 BY MS. HOFFMAN:
- 15 **Q.** What's the most heroin that you ever sold in one day
- 16 personally?
- 17 **A.** Personally, probably about close to 60 grams myself.
- 18 Q. And how much does a gram of heroin sell for in that area?
- 19 **A.** In that area, \$100. If it's really good dope, then it's
- 20 probably \$120.
- 21 MS. AMATO: Your Honor, I would ask for a time frame.
- 22 | I'm not sure what time frame we're talking about.
- 23 MS. HOFFMAN: Sure.
- 24 BY MS. HOFFMAN:
- 25 **Q.** You said you got out of prison in 2012; is that right?

- 1 **A.** Yes.
- 2 Q. So asking you about the time period between 2012 and
- 3 summer of 2016, how much did a gram of dope go for -- I'm
- 4 | sorry, a gram of heroin go for in that time period?
- 5 **A.** It's the same. It never changed. It never changed.
- If it's really good, it's 120 for a gram, 60 for a half.
- 7 And if it's just -- if it's just okay or just good, then, you
- 8 know, it's 50 for a half, a hundred for a whole gram.
- 9 **Q.** And what makes heroin good or not good?
- 10 A. Fentanyl, no fentanyl; if it's been cut or not cut.
- 11 **Q.** And what is fentanyl?
- 12 **A.** Fentanyl is a drug that people have been using basically
- 13 | to spike heroin to make it stronger so it's so strong it might
- 14 | cause a lot of ODs, overdoses.
- 15 Q. Did you actually use heroin at one point in time?
- 16 **A.** I did.
- 17 **Q.** And did you use a lot of heroin?
- 18 **A.** I did.
- 19 Q. So are you familiar with the pricing of heroin and the
- 20 | terminology used to describe it?
- 21 **A.** Yes.
- 22 | Q. How much would drug customers typically purchase at a time
- 23 when they bought heroin?
- 25 | lot of people's money together and come down and buy drugs for

- them. So it could be anywhere from five to twenty grams. It could be two grams. It could be three and a half grams. It
- 3 varies. But a lot of people don't like comin' to the 'hood, so
- 4 they'll get everybody's money together and bring it down to get
- 5 as much as they can.
- 6 Q. Could it sometimes be less, sometimes half a gram?
- 7 A. I've never really seen that too much. It's usually at 8 least two or better.
- 9 **Q.** How many people would typically -- I'm sorry. Let me ask that a different way.
- How many members of MMP and 5200 boys would typically be out selling drugs each day for the gang?
- 13 A. Oh, man, on a -- on a good day with good weather, it can
 14 be -- it can be 50 of us out there. You know, just everybody
 15 got either dope or coke or both. You know, everybody selling
 16 off the phone and people catching plays on the block, so it's
 17 enough money to go around.
- 18 **Q.** And what's a play?
- A. A play is basically -- it's the same thing as a customer, a play, a custy, a whitey, a fiend.
- Q. How much heroin, sticking with heroin, would you estimate that MMP members and 5200 boys would sell in that BP gas station and surrounding area per week, if you had to guess, just ballpark?
- 25 MS. AMATO: Objection, Your Honor.

- 1 MR. SARDELLI: Objection. Sustained. You can rephrase it, but he's 2 THE COURT: got to have more foundation. 3 MS. HOFFMAN: Sure. 4 Sure. 5 BY MS. HOFFMAN: 6 I believe you mentioned that you think the most you sold 7 in one day was 60 grams? Α. Yes. 8 And you said that there could be up to 50 people out there 9 on a given day selling? 10 11 Α. Yes. And so just doing some mental math, if you multiply 12 60 grams times 50 people, would that be 300 grams per day? 13 Sometimes a little more. 14 Α. 15 THE COURT: Try that math again. 16 MS. HOFFMAN: Sorry. 17 I'd interpose another objection. We're MS. WHALEN: speculating here, I think, as to the amounts. 18 THE COURT: You've laid the foundation for him, not as 19 to the other possibly 49 people. 20 21 BY MS. HOFFMAN:
- Sticking to what you personally saw with your own eyes, 22
- 23 how much did you see sold on a given day?
- To be honest with you, I've never kept count. But to my 24
- best ability, I would say at least -- at least a kilo. 25

```
Objection. It's still speculative.
 1
              MS. AMATO:
              THE COURT: Overruled.
 2
              He's going to give a minimum. Go ahead.
 3
              THE WITNESS: At least a kilo.
 4
 5
     BY MS. HOFFMAN:
          Of heroin --
 6
     Q.
 7
          -- on a weekly -- of heroin.
          -- on a weekly basis?
 8
          On a weekly to a week and a half --
 9
     Α.
10
          It could be --
     Q.
11
          -- between everybody altogether.
     Α.
          Could it be less?
12
          It could be, depending on the day, but it was a lot of
13
     Α.
     dope.
14
15
          Who would you get your heroin from?
16
          I've got -- I got heroin from Bo. I got some from Gutta a
17
     lot of times.
18
          Did you -- did you ever purchase cocaine from anyone in
19
     the gang?
20
                I purchased cocaine from T-Roy.
21
          What's the most heroin that you ever got from Gutta?
22
          From Gutta, I think about -- at one time a hundred grams.
23
          And did you ever get heroin from Bo?
          Yes. I got about 25 to 30 grams, maybe, from him one
24
25
     time.
```

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- 1 Q. Were you ever arrested with drugs?
- 2 **A.** This time recently, yes, on this case, in my house.
- 3 | Q. What about before that in 2015; were you arrested with
- 4 drugs at one point? Or were you pulled over with drugs at one
- 5 point?
- 6 **A.** Yeah, I was pulled over with drugs on me.
- 7 **Q.** And who were you with?
- 8 A. I was with one of the mobsters, Kane.
- 9 Q. I'm showing you Government's Exhibit IND-61.
- Who's that?
- 11 A. That's Kane.
- 12 Q. And when you got arrested with heroin with Kane, do you
- 13 remember how much it was?
- 14 A. I didn't get arrested. He had 50 grams on him. We both
- 15 | just got some dope from Bo. And he wanted -- he wanted to go
- 16 | out Dundalk. He said it was -- it was a lot of money out
- 17 | there. He wanted to show me what it was about.
- 18 I took him out there. We ended up getting pulled over. I
- 19 put mine in the crack of my butt, and he tried to do the same.
- 20 And it was -- he had more dope than me, so they found it and
- 21 locked him up.
- 22 **Q.** Did you ever get heroin from SP or Spittle?
- 23 A. No, not that -- not that I can recall, no.
- 24 Q. How much would you -- how much would you pay for heroin
- 25 per gram when you bought it from someone like Gutta?

- 1 A. Well, he was frontin' it to me, and it would be like \$70 a
- 2 gram.
- 3 Q. Was there a way that you could -- well, so if you -- if
- 4 you bought heroin for \$70 a gram and sold it for \$120 a gram,
- 5 you might make as much as \$50 profit per gram; is that right?
- 6 **A.** Yes.
- 7 | Q. And is there a way that you could make more profit off a
- 8 | gram?
- 9 A. Yeah. You can cut it and put it back together, like
- 10 re-rock it, and sell it as raw heroin, but it's not really raw.
- 11 Q. What does it mean to cut it?
- 12 A. You can cut it with anything, quinine, benita. You can
- 13 | cut it with fentanyl and then just rock it back up.
- 14 Q. What does it mean to rock it back up?
- 15 **A.** Put it into a compressing machine to make it back hard
- 16 | again. The raw heroin, usually a lot of the sales like it when
- 17 | it's real chunky. They don't like it like powdery because they
- 18 know it's been tampered with, so we'll put it in a compressor
- 19 machine. There's a lot of different ways to re-rock it.
- 20 **Q.** Did MMP members have stash houses or locations where they
- 21 stashed drugs?
- 22 **A.** Yeah. It was stash -- it was a few stash houses around
- 23 there.
- 24 \ Q. What about Gutta; did he have any stash locations?
- 25 **A.** Well, in 2012, his baby mother was a stash house on

- 1 North Avenue.
- 2 **Q.** What about in 2015?
- 3 **A.** 2015, it was a stash house down the street in the
- 4 | Blue Fountains, and he had the barbershop.
- 5 **Q.** And what was the barbershop?
- 6 A. The barbershop he said he had bought from the dude that --
- 7 | the previous owner and it was his barbershop now, and he used
- 8 to have coke and guns in there.
- 9 **Q.** And where -- where was the barbershop?
- 10 A. Right on the side of the BP gas station.
- 11 Q. What about Bo; did he have any stash locations that you
- 12 knew of for heroin?
- 13 A. I only knew about the one, like down near Rogers Avenue,
- 14 | blue house I went to one time.
- 15 **Q.** And what time frame was that in, if you recall?
- 16 | A. If I'm not mistaken, it may have been 2012. It may have
- 17 | been 2012.
- 18 Q. And do you remember any more specifics about the
- 19 stash house?
- 20 **A.** He had guns in there. He said the dude breaks his guns
- 21 down and cleans 'em for him, and that was really it. It was a
- 22 | blue house. It was near a CVS. That's all I can really
- 23 recall.
- 24 **Q.** What about SP or Spittle; did he have any stash locations?
- 25 **A.** Yeah. He had a stash house with a dude. I think his name

- was Pee Wee. And that's really the only place that I can 1 recall. 2 And then what about the Defendant Dirt; did he have any 3 stash locations that you knew about? 4 5 Just Bowers and Norwood. Α. And is that the --6 Q. 7 Α. The trap house. Was that pictured in the exhibit that you saw earlier? 8 9 Α. Yes. I'm going to approach and show you 10 Government's Exhibit MISC-9. 11 MR. SARDELLI: Your Honor, may we approach? 12 13 THE COURT: All right. (Bench conference on the record: 14 15 MR. SARDELLI: Your Honor, I did get this exhibit in 16 discovery, but I didn't know until this morning they were going 17 to use it as an exhibit. And I asked her to alert me so I could talk to you first, Your Honor. 18 I don't think he can authenticate this photo. I don't 19 20 think he was the photographer or he was ever there. So I don't 21 think he can actually authenticate the photo.
- THE COURT: This appears to be a picture of two
 individuals in striped shirts at some location pointing at some

What do you expect him to say?

items on a table.

24

MS. HOFFMAN: I expect him to say that he does recognize these two individuals, and he'll be able to identify them. And I believe that he also recognizes this location as one of Dirt's trap houses.

MR. SARDELLI: And, Your Honor, he wasn't actually there. He didn't take the photograph, but he has to be there to say this is a true and accurate photograph or accurately represents what happened.

He doesn't know if it's been altered or whatever happened to the photo, Your Honor. He wasn't actually there. So he can in no way authenticate this photo.

It could be altered. There's no way -- if he had taken the photo or if he was there, he could say, Oh, this is a true and authentic photo taken on this date. I was there. I know it's true. There hasn't been any changes or alterations to it.

Since he wasn't there and didn't take the photograph, he cannot authenticate the photograph. There's no way to know for sure if it's authentic.

MS. HOFFMAN: Your Honor, I think -- I would plan to approach and show it to him, first. But I think that if he does say that he's familiar with this location and recognizes it and the individuals in it, then that would be enough to authenticate and that any issues regarding alleged alteration or forging would go to -- you know, could be addressed on

```
1
     cross.
              MR. SARDELLI: Your Honor, again, it would go to
 2
     the -- even if he identified the place, he can't authenticate
 3
     the photograph.
 4
 5
              THE COURT:
                          No.
                               I think the -- what she's suggesting
     is that he can say that he recognizes, if he does, the people
 6
 7
     in the photograph and the location looks to be like whatever he
     thinks.
 8
              MR. SARDELLI: I would still object, Your Honor, but
 9
     it looks like -- I mean, that would be speculation, so I would
10
11
     still object, Your Honor.
              THE COURT: Okay. Well, I will overrule it.
12
13
     Depending on what he says and what he says on direct --
              MR. SARDELLI: Okay. And we're not going to publish
14
     it until we establish --
15
16
              THE COURT: Yes. She'll just show it to him first and
     see what his answers are first.
17
              MR. SARDELLI: Okay. Thank you.)
18
          (Bench conference concluded.)
19
     BY MS. HOFFMAN:
20
          Mr. Banks, I just put in front of you Government's
21
     Exhibit MISC-9 just for identification purposes right now.
22
23
          Do you recognize the individuals in this photo?
          Yeah. That's Nick and Dirt.
24
25
          And just -- sorry. Before -- I'm sorry.
```

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- Without answering, can you just tell me, first, do you recognize the individuals in the photo?
- 3 **A.** Yes.
- 4 | Q. And do you recognize the location where it's taken?
- 5 A. Yes. That's the trap house on Bowers and Norwood.
- 6 MS. HOFFMAN: And, Your Honor, if I could publish the 7 photo to the jury, I'm going to pull up
- 8 Government's Exhibit MISC-9.
- 9 BY MS. HOFFMAN:
- 10 Q. And could you say one more time who's pictured in this
- 11 photo.
- 12 | A. Nick and Dirt.
- 13 | Q. And how do you recognize this location? Have you been
- 14 there?
- 15 **A.** Yeah. I been in there a lot.
- 16 Q. Can you estimate about how many times you've been to that
- 17 | location?
- 18 **A.** Probably seven or eight.
- 19 Q. And can you see -- well, let me ask you this: How did the
- 20 drug operation work at Liberty Heights and Gwynn Oak? Where --
- 21 | where were -- do you know where members of MMP sold in that
- 22 area?
- 23 | A. They sold on Liberty Heights and Gwynn Oak in front of the
- 24 | stores during the day. And at nighttime they sold like in
- 25 | front of a house -- on the side of it, I mean, on the side of a

- 1 house until like probably till the sun come up. They come out
- 2 when it get dark.
- 3 Q. And are there particular stores that you're familiar with
- 4 at the intersection of Liberty Heights and --
- 5 A. 4 G's Liquor and Big T's.
- 6 Q. And have you been there?
- 7 **A.** Yes.
- 8 Q. And are drug sales sometimes made in that area?
- 9 **A.** Yes.
- 10 Q. You testified earlier that Dirt supplied crack to MMP
- 11 | members in that area?
- 12 **A.** Yes.
- 13 | Q. Who were some of the people who worked under Dirt selling
- 14 drugs in that area?
- 15 **A.** Murda --
- 16 | THE COURT: I'm sorry. Wait a minute.
- 17 MR. SARDELLI: Objection. They have not laid any
- 18 | foundation for this question yet, Your Honor.
- 19 **THE COURT:** Would you like to establish the basis of
- 20 his knowledge, Ms. Hoffman.
- 21 MS. HOFFMAN: Sure.
- 22 BY MS. HOFFMAN:
- 23 Q. Did you know -- did you spend a lot of time in the
- 24 | Gwynn Oak/Liberty Heights area?
- 25 A. Enough.

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- 1 Q. Did you know Dirt personally?
- 2 **A.** Yes.
- 3 | Q. And I believe you said that you've been to this trap house
- 4 | pictured here maybe seven or eight times?
- 5 **A.** Yes.
- 6 Q. And did you become familiar with people who sold the crack
- 7 | that Dirt supplied?
- 8 A. Yes.
- 9 Q. And can you tell us the names of some of the people who
- 10 you knew of who sold crack that Dirt supplied.
- 11 **A.** Tech, a dude named E, Dookie, Mookie, Sheisty.
- 12 Q. I'm going to show you Government's Exhibit IND-21.
- 13 And who's that?
- 14 A. That's Tech.
- 15 Q. I'm going to show you Government's Exhibit IND-63. Who's
- 16 that?
- 17 A. That's Sheisty.
- 18 Q. Was he a member of MMP?
- 19 **A.** Yes.
- 20 **Q.** And how did you know that?
- 21 A. Because I peaced him, and, you know, we smile at the homie
- 22 | every time we see each other.
- 23 | Q. I'm going to show you Government's Exhibit -- I'm sorry,
- 24 IND-13.
- 25 And who's that?

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- 1 A. Mookie.
- 2 Q. And was he a member of MMP?
- 3 **A.** Yes.
- 4 Q. And you said he also sold crack that Dirt supplied?
- 5 **A.** Yes.
- 6 MR. SARDELLI: Objection, Your Honor. We still
- 7 | haven't established the foundation of how he knows this.
- 8 THE COURT: That was supplied about a couple of
- 9 answers ago.
- 10 Overruled.
- 11 BY MS. HOFFMAN:
- 12 Q. I'm going to show you Government's Exhibit IND-83.
- Do you recognize that person?
- 14 A. Yeah. That's Conehead.
- 15 Q. Was he a member of MMP?
- 16 A. Last time I saw him, he was. But he was locked up a while
- 17 | ago, so I haven't seen him in a while.
- 18 Q. And I'm going to show you Government's Exhibit -- or I'm
- 19 sorry.
- 20 First, let me ask you, what -- when you knew him, when you
- 21 | were familiar with him, what territory did he operate in?
- 22 A. Liberty Heights and Gwynn Oak.
- 23 | Q. And I'm going to show you Government's Exhibit IND-93.
- 24 Do you recognize that individual?
- 25 A. That's Tone.

- 1 Q. And was he a member of MMP?
- 2 A. He was Treetop. He was Treetop Piru.
- 3 | Q. And what territory -- what area did he -- did he sell
- 4 drugs?
- 5 A. Yeah. He sold -- he sold coke and weed.
- 6 Q. And do you know what areas he sold in?
- 7 A. Liberty Heights and Gwynn Oak.
- 8 Q. And did he -- you said he was Treetop Piru. Did he
- 9 associate with members of MMP?
- 10 **A.** Yes.
- 11 **Q.** Did he associate with Dirt?
- 12 **A.** Yes.
- 13 Q. We talked about SP or Spittle earlier.
- 14 Did SP sell drugs?
- 15 **A.** Yes.
- 16 **Q.** What drugs did he sell?
- 17 A. He sold dope.
- 18 Q. And is dope heroin?
- 19 **A.** Yes.
- 20 Q. In what area did he sell heroin in?
- 21 A. Windsor Mill and Forest Park.
- 22 | Q. And was he -- can you explain, did he sell directly to
- 23 | customers? Did he supply other members of the gang?
- 24 **A.** Both.
- 25 Q. Were there other members of the gang who he supplied

- 1 heroin to?
- 2 A. A few of 'em. Little Mal, Bill, I think Nick a couple
- 3 | times. That's really it. I -- he hasn't actually given me a
- 4 | front, but I've hit for him a couple times when I was just
- 5 | ridin' around with him.
- 6 Q. I'm going to show you Government's Exhibit IND-80.
- 7 And who's that?
- 8 A. That's Mal.
- 9 Q. And is that one of the people you said was supplied heroin
- 10 by SP?
- 11 **A.** Yes.
- 12 **Q.** Was he a member of MMP?
- 13 **A.** Yes.
- 14 Q. And what area did he operate in?
- 15 **A.** Windsor Mill and Forest Park.
- 16 | Q. And I'm going to show you Government's Exhibit IND-55.
- Who's that?
- 18 **A.** Bill.
- 19 Q. And is he one of the people who you just said was supplied
- 20 heroin by SP?
- 21 **A.** Yes.
- 22 **Q.** Was he a member of MMP?
- 23 **A.** He was.
- 24 Q. And how do you know that?
- 25 A. Because I was around him a lot in Windsor Mill and

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- 1 Forest Park. I peaced him. He's been at meetings before.
- 2 Q. I'm going to show you Government's Exhibit IND-43.
- 3 Do you recognize that person?
- 4 A. Yeah. That's J-Rock.
- 5 Q. Was J-Rock a member of MMP?
- 6 A. He was a 5200 boy, but he was -- he was real close to SP.
- 7 He used to get dope from him, too, as well.
- 8 Q. And I'm going to show you Government's Exhibit IND-96.
- 9 Do you recognize that person?
- 10 A. Pee Wee.
- 11 Q. Do you know him very well?
- 12 A. He used to be outside with us a couple times, but not too
- 13 | well. Not just from being on the block. I never went anywhere
- 14 | with him or anything.
- I just -- know he used to hold dope for SP.
- 16 Q. He used to hold dope for SP? What does that mean, hold
- 17 | dope for him?
- 18 A. He was a stash house.
- 19 Q. And what does it mean to be a stash house?
- 20 **A.** To hold dope, hold quns, basically hold all the illegal --
- 21 | anything illegal so he can have easy access to it if need be.
- 22 | Q. So does that mean that SP stored things at this
- 23 | individual's house?
- 24 **A.** Yes.
- 25 Q. If you're not a member of MMP or a 5200 boy, could you

- 1 | sell drugs in MMP's territories?
- 2 A. Usually no.
- 3 Q. You said "usually no." Could you sometimes? Were there
- 4 exceptions to that rule?
- 5 A. There were exceptions. Like if you were a family member
- 6 of them or something or if Gutta knew you and said it was "all
- 7 | right to come around type stuff; but you can't just pull up
- 8 there and start hustling or advertise no type of drugs, give
- 9 | your number out for sales or nothin'.
- 10 Q. And if you weren't a member of MMP or a 5200 boy and you
- 11 didn't have permission, what would happen if you sold drugs in
- 12 | that area, if you just pulled up and started hustling, like you
- 13 said?
- 14 A. Well, initially, you'd probably just get beat and robbed;
- 15 but, you know, if you think it's a game, they kill you.
- 16 Q. Can you give some examples of people who weren't actual
- 17 members of MMP but were 5200 boys.
- 18 **A.** Kenny. J-Rock. Dorion at one point in time.
- 19 That's all I can really recall for now.
- 20 Q. I'm going to show you --
- 21 A. Oh, Unc or Huggie.
- 22 | Q. I'm going to show you Government's Exhibit IND-91.
- 23 Do you recognize that person?
- 24 A. Yeah. That's Kenny.
- 25 **Q.** And so he was a 5200 boy?

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- 1 A. Uh-huh.
- 2 Q. I'm going to show you Government's Exhibit IND-50.
- Who is that?
- 4 A. That's Unc or Huggie.
- 5 **Q.** And you mentioned that he was a 5200 boy?
- 6 **A.** Yes.
- 7 Q. Was he close with any members of MMP?
- 8 A. He was real close with everybody around there, but mainly
- 9 | Gutta. He called him his nephew.
- 10 Q. I'm going to show you Government's Exhibit IND-60.
- Who is that?
- 12 **A.** T-Roy.
- 13 Q. Do you see him in the courtroom today?
- 14 **A.** Yes.
- 15 Q. Can you point him out for the record.
- 16 **A.** He got the white shirt on over there (indicating) with the
- 17 salt-and-pepper hair.
- 18 Q. And was he a member of MMP?
- 19 **A.** He was a 5200 boy.
- 20 **Q.** Did he sell drugs in that area?
- 21 A. He did; dope and coke.
- 22 **Q.** And why was he allowed to sell drugs with MMP members?
- 23 | A. Him and Gutta were real, real close. I think they grew up
- 24 | together, so I was introduced to him when I came over by Gutta.
- 25 | Q. I'm going to show you Government's Exhibit IC-102.

```
Who are we looking at there?
 1
 2
          That's Gutta and T-Roy.
     Α.
          Did T-Roy sell drugs with other members of MMP?
 3
     Q.
     Α.
          Yes.
 4
 5
              MR. TRAINOR: Objection to any further leading.
              THE COURT: Do you want to just rephrase it.
 6
              MS. HOFFMAN: Sure.
 7
     BY MS. HOFFMAN:
 8
          Who did T-Roy sell drugs with, if anyone?
 9
          Basically, everybody. Jakey, Creams, Syd, Ook, Unc. I've
10
11
     been out there with him a few times. You know, alongside of
     everybody, really. Konan.
12
13
          All right. I'm going to show you
     Government's Exhibit IND-12.
14
15
          Who's that?
16
     Α.
          That's Jakey.
17
         Was he a member of MMP?
18
     Α.
         Yes.
          And how do you know that?
19
20
          Because I used to be around him a lot. We were locked up
     together, and I know him from the street.
21
22
          I'm going to show you Government's Exhibit IND-88.
     Q.
          Who's that?
23
```

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That's Ook.

And was he a member of MMP?

24

25

Α.

- 1 **A.** He was a 5200 boy.
- 2 Q. And we talked about Unc.
- I'm going to show you Government's Exhibit -- bear with
- 4 me -- IND-67.
- Who's that?
- 6 A. That's Konan.
- 7 Q. And was Konan a member of MMP?
- 8 **A.** He was a 5200 boy.
- 9 Q. And he was one of the people you mentioned sold drugs with
- 10 T-Roy?
- 11 **A.** Yes.
- 12 Q. I'm going to show you Government's Exhibit IND-32.
- Who's that?
- 14 | A. That's Syd.
- 15 | Q. And do you see him in the courtroom?
- 16 A. Yes. He's sittin' back over there with the white shirt on
- 17 (indicating).
- 18 Q. And I believe you mentioned he was one of the people who
- 19 | you saw with T-Roy?
- 20 **A.** Yes.
- 21 Q. Was he in MMP?
- 22 **A.** No. He was a 5200 boy, but he -- he done hustled for
- 23 T-Roy and Gutta.
- 24 Q. I'm going to show you Government's Exhibit IC-120.
- 25 Who are we looking at here?

- 1 A. That's a picture of the mobsters and the 5200 boys, which
- 2 is all really the same thing. And it's E. It's Charlie, Bill,
- 3 Mal, T-Roy, Gutta, Menace, Q.
- And that's all I can really make out. It's kind of blurry
- 5 over here.
- 6 Q. I'm showing you Government's Exhibit IND-31.
- 7 Who's that?
- 8 A. That's Q.
- 9 Q. Was he a member of MMP?
- 10 **A.** Yes.
- 11 Q. And I'm going to show you Government's Exhibit IC-15.
- Who's pictured here, if you know?
- 13 A. That's Menace, Nick, T-Roy, and Gutta.
- 14 Q. What kinds of drugs did T-Roy sell?
- 15 **A.** Dope and coke.
- 16 **Q.** And where did he sell drugs?
- 17 | A. All around the Windsor Mill and Forest Park area, down
- 18 Walbrook Junction.
- 19 **Q.** Did he sell directly to -- well, let me ask you first:
- 20 Did you see him sell drugs?
- 21 A. Yes. I bought drugs from him.
- 22 | Q. Did you see him make transactions with drug customers?
- 23 **A.** Yes.
- 24 | Q. Did you ever know him to supply drugs to other members --
- other 5200 boys or members of the gang?

- 1 A. Yes. If he had it and they needed it, he would sell it to
- 2 | 'em or front 'em.
- 3 Q. Were there any people who you know of who he supplied
- 4 drugs to?
- 5 A. Me. He gave me grams a couple times. When I didn't have
- 6 no dope on me and the sale was coming through, he fronted it to
- 7 | me. He sold me some -- some crack before. You know, a couple
- 8 people. Just us as a whole.
- 9 Q. I want to come back to Government's Exhibit IND-32, who
- 10 you identified as Syd.
- 11 Did he go by any other nicknames?
- 12 A. Syddie.
- 13 **0.** And --
- 14 A. That's the only one I knew, Syd and Syddie.
- 15 Q. And you said he was not a member of MMP?
- 16 **A.** No. He a 5200 boy.
- 17 | Q. Did he sell drugs in the 5200 area?
- 18 A. Yeah; all around, but mainly at the BP and like the
- 19 | Blue Fountains.
- 20 Q. And what drugs did he sell?
- 21 **A.** Dope and coke.
- 22 **Q.** And did you see him sell drugs?
- 23 **A.** Yes.
- 24 Q. Was Syd close with other members of MMP?
- 25 **A.** Yes.

- 1 Q. Who in the gang was he close with?
- 2 A. E-Money, Mugs, T-Roy -- well, he's a 5200 boy.
- 3 Creams, Konan.
- 4 Q. I'm going to show you -- I'm sorry.
- 5 A. Jakey.
- 6 Q. I'm going to show you Government's Exhibit SM-20, Page 34.
- 7 Who are we looking at there?
- 8 A. That's Syd and Creams.
- 9 Q. And I'm going to show you Page 32 of this exhibit.
- 10 Who are we looking at there?
- 11 A. That's E, Mugs, Syd, and Charlie, T-Roy's little cousin.
- 12 Q. I'm going to show you Page 33 of this exhibit.
- 13 **A.** That is Syd, Charlie, and Mugs.
- 14 Q. And who's who?
- 15 **A.** Charlie is the first one holdin' up the middle finger;
- 16 | Mugs, the one making his hand in a gun fashion; and Syd is to
- 17 | the far right.
- 18 Q. And then showing you Page 35 of this exhibit, who's
- 19 | pictured here?
- 20 **A.** That's Charlie, or C-Bo; Syd; Muqs; and E-Money.
- 21 Q. And was Charlie, or C-Bo, was he a member of MMP?
- 22 A. Yeah. He was a mobster.
- 23 **Q.** You mentioned earlier that you became familiar with drug
- 24 | terminology; is that right?
- 25 **A.** Yes.

- 1 Q. And I want to put up on the screen
- 2 Government's Exhibit DEM-6.
- 3 MS. HOFFMAN: If I could switch to the -- thank you so
- 4 much.
- 5 BY MS. HOFFMAN:
- 6 Q. Can you see that up there?
- 7 **A.** Yes.
- 8 | Q. I'm going to ask you about the meanings of some terms, and
- 9 I'm going to write down what you say.
- 10 What does boy refer to?
- 11 A. Boy refers to heroin.
- 12 **Q.** What does girl refer to?
- 13 A. Girl is crack cocaine.
- 14 Q. What does dope refer to?
- 15 A. Heroin.
- 16 **Q.** What about raw?
- 17 A. Heroin.
- 18 0. What about smack?
- 19 A. Heroin.
- 20 Q. Have you ever heard yams?
- 21 A. Yeah. Yams can be used for coke or heroin.
- 22 **Q.** What about reddy rock or reddy?
- 23 A. Crack.
- 24 Q. What about soft?
- 25 **A.** Soft, cocaine before it's cooked into crack.

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- 1 **Q.** What about hard?
- 2 A. Crack cocaine.
- 3 Q. Have you ever heard gg?
- 4 A. Yeah. Good grams, just heroin.
- 5 Q. Did you say -- I'm sorry. Did you say it refers to grams
- 6 of heroin?
- 7 A. Yes. Say "gg" for good grams.
- 8 Q. Have you -- in the context of drug sales, have you heard
- 9 | the terms "10-piece" or "20-piece"?
- 10 A. Yes. That's the amount of grams of heroin that the
- 11 customer wants.
- 12 Q. What does "loud" refer to?
- 13 A. Marijuana.
- 14 | Q. What about perks?
- 15 A. Percocets.
- 16 **Q.** What about strips?
- 17 A. Suboxone.
- 18 **Q.** What about orange joints or OJ?
- 19 A. Suboxone.
- 20 **Q.** What's Molly?
- 21 **A.** MDMA.
- 22 **Q.** Have you heard the term onion or 0?
- 23 A. Ounce.
- 24 Q. Have you ever heard the term "Vick"?
- 25 A. Yeah. They usually say Vick when they want a Vick of

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- 1 | weed, 7 grams, Mike Vick number.
- 2 Q. And you said that usually refers to weed?
- 3 **A.** Uh-huh.
- 4 Q. Have you heard the term "eight ball"?
- 5 A. Yeah. They talkin' about crack.
- 6 **Q.** And --
- 7 **A.** 3.5.
- 8 Q. Is that a weight of crack?
- 9 **A.** Yes.
- 10 Q. What about dimes?
- 11 A. Dimes of basically anything.
- 12 Q. What does it refer --
- 13 **A.** That's \$10 worth.
- 14 Q. What about nickels?
- 15 A. That's \$5 worth.
- 16 **Q.** What's a tester?
- 17 | A. A tester is usually a sample of dope; say I got testers
- 18 | out or dropping Ts.
- 19 **Q.** And why might a drug seller give a tester?
- 20 **A.** Just to show the quality of the -- of the drug so people
- 21 | want to buy it.
- 22 Q. Have you heard the phrase "on deck"?
- 23 A. Yeah. That mean they just re'ed up.
- 24 **Q.** I'm sorry?
- 25 | A. They just re'ed up. They got a new stash of drugs.

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- 1 Q. And what does reup mean?
- 2 A. It's to reup. To just get more. Get more drugs.
- 3 Q. What does it mean to touchdown?
- 4 **A.** It's the same thing as re'ing up.
- 5 **Q.** And what's a plug?
- 6 A. A connect that you -- a source that you get your drugs
- 7 | from.
- 8 Q. What's a -- I believe you've told us earlier, but what's a
- 9 trap house?
- 10 A. A place that you -- you cook, package, and sell drugs
- 11 from.
- 12 **Q.** And what does it mean to hustle?
- 13 A. To hustle means to just hustle, to get it another way,
- 14 sellin' drugs. Another way other than working a job, hustlin'.
- 15 Q. Does it mean -- can you -- sorry.
- 16 A. To sell -- to sell drugs, hustling, trapping, jugging,
- 17 grinding.
- 18 **Q.** Have you heard the term "bread"?
- 19 **A.** Yeah. It's talkin' about money.
- 20 **Q.** What about paper?
- 21 A. It's talkin' about money.
- 22 **Q.** What about cheese?
- 23 A. Money.
- 24 **Q.** What does bands refer to?
- 25 **A.** Bands is money too, but it's -- it's a thousand dollars

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- 1 plus. One band is a thousand dollars. Bands with a S is more.
- 2 Q. What does stacks mean?
- 3 **A.** The same as bands.
- 4 Q. What's a brick?
- 5 **A.** A kilo.
- 6 Q. What's a hitter?
- 7 **A.** Somebody that you give drugs to to sell for you.
- 8 Q. What's a junkie?
- 9 A. A customer.
- 10 **Q.** And what's a play?
- 11 A. A customer.
- 12 **Q.** What's a sale?
- 13 A. A customer.
- 14 **Q.** What about whitey?
- 15 A. A customer.
- 16 **Q.** Have you heard the term "bomb"?
- 17 **A.** That means you have good quality of drugs.
- 18 **Q.** What about fire?
- 19 A. Good quality of drugs.
- 20 Q. What does it mean to say "stepped on"?
- 21 **A.** The drugs are cut with something.
- 22 Q. And what about clock?
- 23 **A.** Clock is a scale.
- 24 Q. And how are scales used in the business?
- 25 **A.** To weigh drugs, call it a clock or a bench.

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```
Have you heard the term "hammer"?
 1
     Q.
          Talkin' about a gun.
 2
     Α.
          What about the term "blicky"?
 3
     Q.
 4
          A qun.
     Α.
 5
          Ratchet?
     Q.
 6
          A gun.
     Α.
 7
          What about joint?
     Q.
          A qun.
 8
     Α.
          What about Jimmy Mack?
 9
     Q.
10
          That's a gun.
     Α.
11
          What about stick?
     Q.
          That's an assault rifle.
12
     Α.
          What's a baby 9?
13
     Q.
          A small 9-millimeter.
14
     Α.
15
              MR. HAZLEHURST: Objection, Your Honor. May we
16
     approach?
17
              THE COURT:
                          Okay.
18
          (Bench conference on the record:
19
              MS. HOFFMAN: I'm getting close.
20
                               Your Honor, one objection is as to
              MR. HAZLEHURST:
21
     the particular line of questioning right now. We're talking
     about what appears to be weapons. There's been no foundation
22
     laid for the basis for the witness to give his opinion as to
23
     what each of these individual terms mean.
24
25
              The second objection I would have is if the Government
```

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intends to publish this list as an exhibit, it unfairly emphasizes the testimony of this witness.

And the jury is over there taking notes. I think the jury's memory of what he says should control, not this list, if the Government intends to put this in. So I'm not sure it's sufficient -- basically, it's only an exhibit.

THE COURT: Okay. I think they are two separate questions. I mean, if you want a little bit more foundation, I mean, I'm assuming that we're going to hear something down the road.

MR. HAZLEHURST: I agree with that, but I honestly think that if this witness is going to give an opinion as to what these terms mean, then he's got to talk about what his experience with guns are.

THE COURT: Which I think he will. So I'm going to be very surprised if this is not -- if it's not linked up sufficiently to make sure that he's familiar with guns, then I will go back and strike that part of the list.

Whether or not it's an exhibit that comes in, I think we can debate that down the road. I'm assuming that this is a way to support any interpretation of wire calls that might come down the road as opposed to just assume -- give their opinion.

MS. HOFFMAN: Todd Edwards --

MR. HAZLEHURST: Of course, Todd Edwards, who is, I know, the stock expert on this.

```
Your Honor --
 1
              MS. HOFFMAN:
 2
              THE COURT: Sure. Here we're going to have somebody
     that, if his testimony is accepted, he's involved in drug
 3
     dealing. He would sell with these very defendants, and this is
 4
 5
     what these words mean when they are used in that context.
              MR. HAZLEHURST: The last thing I will say about this,
 6
 7
     Your Honor, is also -- and my apologies to Ms. Hoffman, but I'm
    not sure what she's taking down is always accurately reflecting
 8
     what his answers are.
 9
10
              MS. HOFFMAN: Sorry.
11
              THE COURT: Did you -- I thought they were pretty
     accurate. I mean, I've been watching. But if you saw
12
     something that you thought wasn't --
13
              MR. HAZLEHURST: There are some places where she would
14
15
     list some of the words, but not the words -- basically they
16
     were modified. So I would have to go back and look at the list
17
    myself.
              Obviously I don't have it at this point. But as I was
18
     watching her write, sometimes she would omit words that he was
19
20
              So it wasn't verbatim from what he was saying.
                          Okay. I'm going to have to -- I mean, if
21
              THE COURT:
     you think there's something that was left out that would in any
22
23
     relevant way alter the meaning that she did write down --
              MR. HAZLEHURST: I will -- I will raise it.
24
25
              THE COURT: -- we can certainly -- we can talk about
```

```
that and maybe add something or we'll get into it.
 1
              But for right now, this is not an admitted exhibit.
 2
     It is more of a demonstrative and illustration for the jury.
 3
              MS. AMATO: And we would then just ask if it ever is
 4
 5
     introduced, that we get a chance to look at the actual document
 6
     just to review it.
              THE COURT: Of course.
 7
              MS. HOFFMAN: And we --
 8
              THE COURT: You have just a few more here? Is that --
 9
              MS. HOFFMAN: It's pretty close. It's about another
10
11
     page.
              THE COURT: Then we'll take a break. And we are going
12
     until 6:00.)
13
          (Bench conference concluded.)
14
              THE COURT: We'll just try to finish the list and then
15
16
     take a break.
17
     BY MS. HOFFMAN:
18
          Mr. Banks, I apologize. I forgot what you said a baby 9
     Q.
     is.
19
20
          A baby 9 is a small, 9-millimeter handqun.
     Α.
21
         And what's a .40?
     Q.
22
          A .40-caliber handgun.
     Α.
23
         And what's a Glock?
     Q.
          A gun. A brand of handgun.
24
25
          What's an AR?
```

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- 1 A. Assault rifle.
- 2 Q. And what's a chopper?
- 3 A. It's an assault rifle.
- 4 Q. What's an extendo?
- 5 A. An extended magazine.
- 6 Q. And what's a shoulder strap?
- 7 **A.** Assault rifle.
- 8 Q. What about a mop?
- 9 A. Assault rifle.
- 10 Q. What's a clip?
- 11 **A.** A magazine for a handgun or a gun, period.
- 12 Q. What does it mean to be strapped or to strap up?
- 13 **A.** That mean you go get a gun, have a gun on you.
- 14 **Q.** What does it mean to be heavy?
- 15 **A.** To have a gun on you.
- 16 | Q. What does it mean to be gripped up?
- 17 **A.** To have a gun on you.
- 18 **Q.** What does it mean to be holding?
- 19 A. It depends on what context you use it in, 'cause it can be
- 20 | having a gun on you or it could be that you have drugs for
- 21 sale.
- 22 Q. What's a hack?
- 23 A. An unlicensed sedan or taxi.
- 24 Q. What's a lick?
- 25 A. A come-up, usually a robbery.

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- 1 Q. What was the first word you said?
- 2 A. It's a come-up.
- 3 Q. A come-up?
- 4 A. A way to come up. It's usually a robbery.
- 5 Q. I believe we talked about 5200. What does that refer to?
- 6 A. It's a neighborhood.
- 7 Q. And what does "heartbeat" mean?
- 8 A. I love you.
- 9 Q. What does double time mean?
- 10 A. I love you, too.
- 11 Q. And what does EMM's refer to?
- 12 A. To the mob.
- 13 **Q.** What about GMB?
- 14 A. Get Money Boys.
- 15 **Q.** And how is that term used?
- 16 A. Basically -- it's for the neighborhood, but it's also
- 17 | something they use the acronym for Get Money Boys, like the
- 18 | dudes that be rappin' around there, so . . .
- 19 Q. What about GMG; what did that stand for?
- 20 A. Gutta Music Group.
- 21 **Q.** And what was that?
- 22 | A. That was a label or a shorter acronym for the label that
- 23 | we were all rappin' under or most of us was rappin' under.
- 24 Q. What about TCGMG?
- 25 A. Team Cash Gutta Music Group.

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```
And I believe you said earlier, but tell us again:
 1
     Q.
     does ABK mean?
 2
          Anybody killa.
 3
     Α.
          And what's Piru?
 4
 5
          Piru is a Blood, but it's all type of different acronyms
     for it.
 6
              THE COURT: Okay. All right. Ladies and gentlemen,
 7
     we're going to take a recess.
 8
              I'll start by excusing the jury. I just remind
 9
     everybody, we are going until 6:00 today.
10
11
          (Jury left the courtroom at 4:19 p.m.)
              THE COURT: All right. We're going to excuse the
12
13
     gallery and the witness.
14
              All right. We'll take a recess.
15
          (Recess taken.)
16
              THE COURT: Quick question for everyone before we
17
     bring the jury back in, and then I'll check with them.
              Just to get an extra 15 minutes, does anybody have a
18
19
     problem starting at 9:45 tomorrow instead of 10:00?
20
              THE CLERK: Do you want me to ask them?
21
          (Jury entered the courtroom at 4:37 p.m.)
                         Mr. Banks, you're still under oath.
22
              THE CLERK:
23
              THE COURT:
                         All right. If you want to go ahead,
     Ms. Hoffman.
24
25
              MS. HOFFMAN:
                            Thank you.
```

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BY MS. HOFFMAN:

- 2 Q. Mr. Banks, we left off talking about drug terminology, and
- 3 | I wanted to circle back to drug quantities and ask you a few
- 4 more specific questions.
- 5 You said that you frequented the 5200 block of
- 6 | Windsor Mill Road; is that right?
- 7 **A.** Yes.

1

- 8 Q. Focusing your attention on the 2015-2016 time period,
- 9 about how often were you in that area?
- 10 A. A little less in '16, but '15, a lot. Probably like -- a
- 11 lot. A lot.
- 12 Q. Would you say at least once a week?
- 13 **A.** At least, yeah.
- 14 | Q. And when you were out there, would you hang out at the BP
- 15 gas station itself ever?
- 16 **A.** Yes.
- 17 | Q. And on a typical day, let's say summer of 2015, nice
- 18 | weather out, how many people, how many members of MMP and
- 19 | 5200 boys would be out there on a typical day?
- 20 **A.** I mean, like I said before, probably about 50.
- 21 Q. 'Cause sometimes it would be less?
- 22 | A. It could be less, but normally during the day, it's --
- 23 | it's a lot. But when the police come around, people just
- 24 | spread out.
- 25 \ Q. So not everyone would be right at the BP gas station?

- 1 A. No, not right there. But at nighttime, like, on a Friday
- 2 or something, people might be right there to go somewhere else.
- 3 | Q. And when you were out there at the BP gas station, how
- 4 often would you see drug customers pull up?
- 5 **A.** All the time, like, all the time. Normally during the day
- 6 | it's like a lot of dope transactions and coke. But at night
- 7 | it's more -- it's more crack than anything.
- 8 Q. And did you ever talk to other members of the gang about
- 9 | their drug sales afterwards? Like, would they ever tell you
- 10 | about drugs sales they just made?
- 11 **A.** Not really. You might see people with a wad of cash, but
- 12 they don't get into specifics.
- 13 | Q. That was going to be my next question. Did people ever
- 14 | talk to you about how much money they made selling drugs?
- 15 A. Not that I can recall an exact amount.
- 16 Q. Okay. And I believe you said earlier that you primarily
- 17 | sold heroin; is that right?
- 18 **A.** Yes.
- 19 Q. Did you occasionally sell crack or crack cocaine?
- 20 **A.** Yes. And Molly sometimes too, but a lot of heroin and
- 21 crack.
- 22 | Q. And did others in the 5200 block of Windsor Mill Road sell
- 23 | crack and crack cocaine as well?
- 24 **A.** Yes.
- 25 **Q.** And if you know, what would be the typical amount of

- crack cocaine that you or someone else in the gang might sell in a day?
- 3 MR. HAZLEHURST: Objection.
- 4 THE COURT: Sustained to the form.
- 5 BY MS. HOFFMAN:
- 6 Q. What's the most crack cocaine that you ever sold in a day?
- 7 **A.** Probably like a half a ounce. I wasn't big on the crack.
- 8 More dope than anything.
- 9 Q. Did you ever see others in the gang sell crack cocaine?
- 10 **A.** Yes.
- 11 Q. Can you give any examples.
- 12 A. A car might be sittin' at the gas station and you ask them
- 13 what they need.
- 14 And they say, I already called Jakey or I already called
- 15 Huggie.
- 16 Or I was like, I got the boy.
- Oh, I don't really mess with that. I need some girl.
- 18 | Q. And did you ever see hand-to-hand transactions of
- 19 | crack cocaine? Did you ever see members ever actually hand
- 20 crack cocaine to customers?
- 21 **A.** Yes.
- 22 **Q.** And what's the most you ever saw another member of MMP
- 23 | sell of crack cocaine at a time to a given customer?
- 24 | A. I saw Jakey sell a eight ball before. That's the most
- 25 | that I seen him sell at one time in my -- in my eyes.

- 1 Q. And how much is an eight ball?
- 2 A. An eight ball is 3.5 grams.
- 3 Q. And is that specific -- is that term used specifically for
- 4 crack cocaine?
- 5 **A.** Yes.
- 6 Q. Based on your own personal sales and what you observed of
- 7 other people in the gang's sales of crack cocaine, could you
- 8 | give an estimate of how much crack cocaine was sold at that
- 9 location per day.
- 10 MS. WHALEN: Objection, Your Honor. Again,
- 11 | speculative. He said he's only -- would you like me to come
- 12 up --
- 13 THE COURT: Well, I think she laid a sufficient
- 14 | foundation. This is only based on what he -- we can repeat it
- 15 | if necessary, but she has elicited testimony as to how often he
- 16 | sold it and what his observations were.
- 17 And would you repeat your question, Ms. Hoffman.
- 18 BY MS. HOFFMAN:
- 19 Q. My question was: Based on your own personal experience
- 20 | the times that you sold crack cocaine and your observations of
- 21 others in the gang making crack cocaine sales, could you form
- 22 an estimate of the quantity of crack cocaine that was sold at
- 23 | that location per day?
- 24 A. Per day, probably maybe two to three hundred grams. Maybe
- 25 | a little less, because it may be days where nobody don't

- 1 have -- well, certain dudes don't have boy; they'll just have
- 2 | all girl. So that's what they do all day and at nighttime. So
- 3 | it moves more than a dope at a time. So probably two,
- 4 three hundred grams per day, altogether, collectively.
- 5 Q. And that was going to be my next question. That wouldn't
- 6 be one person selling that much.
- 7 **A.** No. I mean --
- 8 Q. That would be everybody together?
- 9 A. -- collectively selling in quantities of 20s. That's
- 10 what -- that's what -- that's what was up there, 20s of crack.
- 11 Q. And is it fair to say that there was more heroin sold at
- 12 | that location than crack cocaine, then?
- 13 **A.** It's really about the same, but it varies on the -- on the
- 14 | quantity and the quality that we might have at the time. So if
- 15 the dope wasn't that good, it wasn't -- you know, it wouldn't
- 16 | sell a lot. But the coke will be -- be different or vice
- 17 versa.
- 18 **Q.** I want to shift topics and ask you about rap music.
- 19 Were there members of MMP who made rap music?
- 20 **A.** Yes.
- 21 Q. Who in MMP made rap music?
- 22 A. I made rap music.
- 23 Gutta made rap music.
- Gambino used to rap from time to time.
- 25 Creams made rap music.

- 1 C-Bo made rap music.
- 2 Konan, 5200 boy, made rap music.
- 3 T-Roy made rap music.
- 4 Q. And did you ever make rap videos?
- 5 **A.** Yes.
- 6 Q. And what would you do with those videos?
- 7 **A.** We would upload 'em to YouTube to gain notoriety.
- 8 Q. And what was the purpose of rapping? What were you hoping
- 9 | to get out of it?
- 10 A. To get rich.
- 11 Q. You mentioned earlier Team --
- 12 **A.** -- Cash.
- 13 **Q.** Yeah. Can you again tell us what the music labels were
- 14 | that you were associated with.
- 15 A. Well, TCGMG Team Cash Gutta Music Group, was ran by Gutta
- 16 or started by Gutta. Team Cash is just like what we call
- 17 | ourselves sometimes when we go out, buy a lot of bottles and
- 18 | stuff like that, throw a lot of money, Team Cash. And we just
- 19 put 'em together and made that and just -- we ran with it with
- 20 | the rappin'.
- 21 Q. And did you mention another one, GMG? Was that --
- 22 A. GMG, Get Money Boys.
- 23 | Q. I believe you mentioned Gutta Music Group. Was that one?
- 24 | A. Oh, yeah. Yeah. That's -- Gutta Music Group is -- is us;
- 25 and put Team Cash with it, it's TCGMG.

- 1 Q. So those were music labels --
- 2 **A.** Yes.
- 3 Q. -- that you and -- were other members of the gang
- 4 | associated with those labels too?
- 5 **A.** Yes.
- 6 Q. Was Murdaland Mafia a music label?
- 7 | A. No, not actual Murdaland Mafia. Murdaland Mafia was the
- 8 set, but the actual label was TCGMG.
- 9 Q. Did you ever rap about Murdaland Mafia Piru, about the
- 10 gang?
- 11 A. All the time.
- 12 **Q.** And why did you rap about the gang?
- 13 | A. Because I was a active gang member. I was always
- 14 | boasting. Anything I could say in the music to make -- to big
- 15 us up or to get us known, that's what I would do and everybody
- 16 else would do.
- 17 Q. And when you say "everybody else," who else rapped about
- 18 MMP?
- 19 **A.** Gutta rapped about MMP. Gambino rapped about MMP.
- 20 Julio Santana, Creams shout the mob out. C-Bo.
- 21 **Q.** Could rapping give you status in the gang?
- 22 **A.** Not really status. But, you know, you'll be more known.
- 23 | The better you get with it, the more notoriety you bring to us.
- 24 **Q.** Were the things you rapped about always true?
- 25 A. Not all the time.

- 1 Q. Did you sometimes rap about things that were true?
- 2 **A.** Yes.
- 3 Q. Did you sometimes rap about real people?
- 4 **A.** Yes.
- 5 | Q. Did you sometimes rap about real-life events?
- 6 **A.** Yes.
- 7 | Q. Did you sometimes flash actual guns in rap videos?
- 8 **A.** Yes.
- 9 Q. I'm going to play a video. This is going to be
- 10 Government's Exhibit YT-1, which has come into evidence as a
- 11 YouTube video.
- 12 And I'm actually going to start it at 54 seconds.
- MS. HOFFMAN: Did we lose sound, Karen?
- 14 THE CLERK: No. Sound is on.
- MS. HOFFMAN: Oh, thanks.
- 16 (Video was played but not reported.)
- 17 BY MS. HOFFMAN:
- 18 Q. I'm just going to pause it there.
- Do you -- can you tell us who's in this video.
- 20 A. Me, Gutta, and Gambino.
- 21 | Q. And can you tell us what's sitting behind -- well, who's
- 22 in the middle?
- 23 A. That's Gutta.
- 24 Q. And what's sitting behind him?
- 25 A. A MAC-11 submachine pistol.

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```
1
     Q.
          Is that a real gun?
 2
          Yes.
     Α.
          (Video was played but not reported.)
 3
     BY MS. HOFFMAN:
 4
 5
          Can you tell us what you just said in that last line.
     Q.
          I do this for the set and the OGs. It's Su-Woo to the
 6
     death, and they know me.
 7
          And what does Su-Woo mean?
 8
 9
          Su-Woo, just something we say as Bloods.
              MS. HOFFMAN: I apologize. We do have a transcript
10
11
     for this video. And so I was going to direct the jurors to the
     YouTube tab, and it's actually Page 1.
12
                          The first one?
13
              THE COURT:
              MS. HOFFMAN: Page 1 of the YouTube tab of the
14
15
     transcript binders. Sorry about that.
16
     BY MS. HOFFMAN:
17
          All right. I'm going to pick up where we left off.
     Q.
                      Page 1?
18
              JUROR:
19
              THE COURT:
                          Page 1.
20
              MS. HOFFMAN:
                            Page 1.
          (Video was played but not reported.)
21
     BY MS. HOFFMAN:
22
23
          Do you know who these people are?
          No. I just met them that day.
24
```

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And what are they doing here?

25

```
They makin' a fake drug sale.
 1
     Α.
          (Video was played but not reported.)
 2
     BY MS. HOFFMAN:
 3
          And I just want to pause it briefly.
 4
 5
          Who is that again?
          Gambino.
 6
     Α.
          (Video was played but not reported.)
 7
     BY MS. HOFFMAN:
 8
          Did you hear him say, "Now you're lookin' at the east side
 9
     boss"?
10
11
     A.
          Yes.
          And I believe you testified earlier that Bino was a boss
12
     on the east side of Baltimore; is that right?
13
          Uh-huh. He ran Boone Street.
14
     A.
15
          Is that an example of a lyric that's true?
16
     Α.
          Yes.
17
          (Video was played but not reported.)
     BY MS. HOFFMAN:
18
          And just for the record, can you tell us what Gutta just
19
20
     did in the video.
          Pointed a gun at the camera.
21
     Α.
22
          And was that the same gun you referred to earlier, the
     MAC-11?
23
24
     Α.
          Yes.
          (Video was played but not reported.)
25
```

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BY MS. HOFFMAN: 1 2 What does it say on Gutta's chest? Q. What, the M? 3 Α. Let me see if I can go back. 4 5 (Video was played but not reported.) BY MS. HOFFMAN: 6 What does it say there? 7 Q. "Mafia." 8 Α. (Video was played but not reported.) 9 BY MS. HOFFMAN: 10 11 And can you see what it says on his upper chest there. "Murdaland." 12 Α. 13 (Video was played but not reported.) BY MS. HOFFMAN: 14 15 And what was that -- well, what were we looking at at the very end of the video there? 16 17 A dude gettin' jumped. Α. 18 Was that -- earlier you said that they made a fake drug sale; is that right? Were they acting? 19 Yeah, they were acting. 20 And what were they acting out? 21 That he gave information about he got -- he just talked to 22 some homies in Cali, and Gutta said he was lying. He got 23 24 jumped.

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25

Did you sometimes rap about crimes that really happened?

- 1 **A.** Yes.
- 2 Q. Why did you do that?
- 3 A. Because we were living what we rapping. That's -- that's
- 4 | how we looked at it as keeping it real.
- 5 Q. And why was it important to keep it real?
- 6 A. Because if anybody ever checked your background or tried
- 7 | to pull your card, they would see that you was really walkin'
- 8 | it like you talkin'.
- 9 Q. Was it important to be real in order to gain fame in the
- 10 rap business?
- 11 **A.** To us.
- 12 Q. Can you give some examples of crimes that you rapped
- 13 about, anything that you can think of.
- 14 **A.** Just sellin' drugs, shootin' guns. Like the stuff you
- 15 | said about pull up on your block, slap you with the banger out,
- 16 | we really did that. 'Cause a dude dumped some trash on one of
- 17 | the homie's mother's front porch. And he called from jail and
- 18 | said to go see what was going on. We jumped out, guns. And
- 19 | Gutta slapped the dude all up, and I chased him in the alley.
- 20 \ Q. Did you ever make reference to shooting people in your
- 21 rap videos?
- 22 | A. Yes. Not -- I don't -- I'm not sure -- yeah, yeah, we
- 23 have.
- 24 | Q. And in real life, did you ever shoot people?
- 25 **A.** I have, yes.

- 1 Q. So I want to ask you about some murders and shootings.
- 2 Did you ever commit shootings in furtherance of the gang?
- 3 **A.** Yes.
- 4 Q. I want to talk to you about October of 2012.
- Were you involved in an attempted murder of someone named
- 6 | Samartine Hill, also known as Snook?
- 7 **A.** Yes.
- 8 Q. Was Snook a member of MMP?
- 9 **A.** No.
- 10 Q. How did you learn about Snook?
- 11 A. When I came home, Gutta told me that he was a rat and he
- 12 | had to be dealt with. Excuse me.
- 13 **Q.** And what does it mean to be a rat?
- 14 A. To cooperate with law enforcement.
- 15 Q. And did Gutta tell you anything else about Snook?
- 16 **A.** He was just a rat and he had some money on him.
- 17 | Q. What does it mean to have money on you?
- 18 **A.** Somebody put some money up to get you -- to get you
- 19 killed.
- 20 **Q.** And did Gutta tell you who put money up to get Snook
- 21 killed?
- 22 **A.** Yeah. He said SP had the money for it.
- 23 **Q.** I want to direct your attention to October 15th of 2012.
- 24 Did you go to Club Mirage that night?
- 25 **A.** I did.

- 1 Q. And what is Club Mirage?
- 2 A. It's a club downtown. That was my first time -- no, my
- 3 second time there, I think.
- 4 Q. Who did you go to Club Mirage with that night?
- 5 **A.** It was me, Gutta, Bangout, Tech, Dirt.
- 6 Q. Was Bino there?
- 7 A. Gambino. Bino had a camera. Scar. That's all I can
- 8 remember at this time.
- 9 **Q.** That's okay.
- Tell us what happened when you got to the club.
- 11 **A.** Oh, and Nizzy was there too.
- Basically, we went in line, just a regular night out.
- 13 Gambino was recording our whole night out. We were out real
- 14 deep as the -- as the -- as the mob, and we were just going to
- 15 record a fun night out.
- 16 | Q. Was it a -- sorry to cut you off. Was it crowded at the
- 17 | nightclub that night?
- 18 **A.** It was crowded. It was crowded. It was a lot of people
- 19 out there. And I didn't know what the dude Snook looked like.
- 20 | So Gutta happened to -- he saw him in line and pointed me out
- 21 | to him and said, "There you go right there."
- 22 You know, so I said, "What you want me to do?"
- He said, "You know what's up." So . . .
- 24 | Q. What did you understand him to mean when he said, "You
- 25 | know what's up"?

- 1 A. Kill him.
- 2 Q. So what did you do?
- 3 A. Well, me and Bangout went to the car, and Bangout wanted
- 4 | the door. But I told him "no," because I already gave him my
- 5 | word that I would do it. He asked me to do it. And money was
- 6 involved, and I told him I would look out for him for driving.
- 7 And I went, put a bandana on, put my hood up, and came
- 8 back with a .45 that we had in the car. Yeah.
- 9 Q. And you said something about Bangout was going to take
- 10 | care of driving; is that what you said?
- 11 A. Uh-huh. He drove. Gutta car at the time was like a
- 12 Acura --
- 13 **Q.** Okay.
- 14 | A. -- a silver Acura. And he drove. Because I didn't know
- 15 | how to drive back then, so . . .
- 16 | Q. And just to unpack that a little bit.
- 17 So you were in line when Gutta pointed out Snook to you?
- 18 **A.** Uh-huh --
- 19 **Q.** And --
- 20 A. -- with a head nod.
- 21 | Q. Did you then leave with Bangout to get the gun?
- 22 **A.** Yes.
- 23 **Q.** And where did you go to get the gun?
- 24 **A.** He was parked -- he was parked like -- he parked in
- 25 | Chinatown, somewhere downtown. And he just waited for me a

- 1 | couple blocks away. And I got out and went back to the club.
- 2 Q. And when you say he waited for you, was that Bangout who
- 3 waited for you in the car?
- 4 **A.** Yes.
- 5 Q. And was the plan that he would be your getaway driver?
- 6 **A.** Yes.
- 7 Q. So you started to say that you went back to the club with
- 8 | your hoodie pulled up?
- 9 **A.** Yes.
- 10 Q. And what happened when you went back to the club?
- 11 **A.** I stood in the back of the line for a while and was just
- 12 | watching the dude. Then I walked up on him, and I started
- 13 | shootin' him.
- 14 Q. Do you know how many times you shot him?
- 15 A. A lot. I didn't count.
- 16 Q. Were you standing close to him when you shot him?
- 17 **A.** Yes.
- 18 **Q.** Did he drop to the ground?
- 19 **A.** Yes.
- 20 Q. Did you believe you had killed him?
- 21 A. I -- I thought I shot him like in the head or in the face.
- 22 And when he fell down, I didn't know if he was dead. So I
- 23 | stood over him and -- and just kept shootin'.
- 24 Q. At that point did you believe he was dead?
- 25 **A.** Yes.

- 1 Q. What happened next? What did you do then?
- 2 **A.** The crowd was screamin' and dispersing, and I just blended
- 3 | in with the crowd and was yelling as I ran away like them and
- 4 then just ran back to the car. And then we drove to the boat,
- 5 the restaurant downtown.
- 6 Q. You said you drove -- was it you who was driving?
- 7 **A.** No. I was -- I was riding. Bangout drove to the boat.
- 8 Q. And the boat, you said, is a restaurant downtown?
- 9 **A.** Uh-huh.
- 10 Q. And did you meet up with anyone else at the boat?
- 11 **A.** Yeah. We met up with everybody.
- 12 **Q.** And when you say "everybody," who are you referring to?
- 13 A. The mobsters that we all went with out with. And Gutta
- 14 | said, "That's, you know, good job. You get your lightning
- 15 | bolts." And he gave me a couple dollars. I think it was like
- 16 | 300, to be exact, right on the spot.
- 17 | Q. When you went to the boat afterward, was Dirt there?
- 18 A. I can't recall.
- 19 Q. And you said Gutta told you, "You got your lightning
- 20 bolts"?
- 21 A. He said, "You can go get your lightning bolts now."
- 22 | Q. And what did you understand him to mean by that?
- 23 | A. You get your lightning bolts after you kill, so that's
- 24 | what he -- he was saying, He's -- he dead. Good job. Go get
- 25 | your lightning bolt tatt.

- 1 Q. Did Gutta also think that he was dead at that point?
- 2 A. At that point, yes.
- 3 Q. Did you find out later that he did not die?
- 4 **A.** Yes.
- 5 **Q.** You mentioned that Bino was filming that night?
- 6 **A.** Yes.
- 7 Q. Was he wearing anything that stands out in your mind?
- 8 A. He had on a shirt that said "Mobb Squad" on the back.
- 9 Q. Do you remember who else was there at the boat when you
- 10 | went there afterward, if you recall?
- 11 **A.** I really don't.
- 12 Q. And you said Gutta paid you a couple dollars. I believe
- 13 | you said you thought it was about 300?
- 14 A. Right.
- 15 Q. Did you ever get any more money for that --
- 16 **A.** No.
- 17 **Q.** -- attempted murder?
- 18 At the time of the shooting, did you know that there were
- 19 | cameras outside the Mirage?
- 20 **A.** No. I didn't even think about it at the time.
- 21 **Q.** Have you since seen footage of the shooting?
- 22 **A.** Yes.
- 23 | Q. I'm going to play you some clips from Government's
- 24 Exhibit SF-1.
- 25 MS. HOFFMAN: I apologize. Thank you.

```
(Video played.)
 1
     BY MS. HOFFMAN:
 2
          Who are those two people who just walked onto the screen?
 3
          Tech and Dirt.
 4
     Α.
 5
          And I'm going to pull up Government's Exhibit MISC-9.
     Q.
 6
     apologies.
          And can you see what -- can you tell us what Dirt is
 7
     wearing in the security camera footage.
 8
          It looks like the same shirt that he -- or sweater,
 9
     sweatshirt that he's wearing in the picture.
10
11
     Q.
          I'll try that again.
          (Video played.)
12
     BY MS. HOFFMAN:
13
          Who's that in the green hat?
14
     Q.
15
          That's me.
     Α.
16
          And who's behind you?
17
          Gutta.
     Α.
18
          What's Gutta wearing?
19
          A baby blue shirt.
     Α.
20
          Who's that at the end?
21
          Gambino.
     Α.
          And can you read what he -- what it says on his shirt?
22
23
          "Mobb Squad."
     Α.
          Do you recognize any of the other people who walked in
24
25
     with you?
```

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- 1 A. Bangout, Scar, and E.
- 2 | Q. And do you remember where you were standing in line?
- 3 **A.** Near the back.
- 4 Q. You can actually point on your screen if you remember. Is
- 5 | it coming up for you?
- 6 A. You said for me to point or you going to point --
- 7 Q. Yeah. You can actually point if you touch the screen in
- 8 the area where you think you were standing in line.
- 9 **A.** Right around here (indicating).
- 10 Q. Doesn't look like -- oh, there we go.
- 11 All right. I'm going to skip ahead.
- 12 First of all, though, can you read the timestamp, the date
- and timestamp down here (indicating).
- 14 A. October 15th, 2012, 12:31:28:97 a.m.
- 15 | Q. Okay. And I'm going to skip ahead to 5 minutes and
- 16 | 55 seconds into this video.
- 17 (Video played.)
- 18 BY MS. HOFFMAN:
- 19 Q. I'm going to go back and play that one more time.
- 20 (Video played.)
- 21 BY MS. HOFFMAN:
- 22 | Q. And I want to direct your attention to this area
- 23 (indicating).
- 24 Can you see anyone you recognize in that area. Well,
- 25 maybe that's not a good job.

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```
Yeah.
 1
     Α.
          I'm going to skip ahead to 8 minutes and 45 seconds into
 2
     this video.
 3
          (Video played.)
 4
 5
     BY MS. HOFFMAN:
          And, again, I want to focus your attention on this area
 6
     (indicating).
 7
          And who's that who just walked on the screen?
 8
          That's me.
 9
     Α.
10
          I'm going to go back and play 8 minutes and 45 seconds
11
     through the shooting one more time.
          (Video played.)
12
     BY MS. HOFFMAN:
13
          And, again, is that you walking on the screen there?
14
15
          Yes.
     Α.
16
          (Video played.)
17
     BY MS. HOFFMAN:
18
          Are you right-handed or left-handed?
         Left-handed.
19
     Α.
20
          Do you shoot with your left hand?
21
     Α.
          Yes.
22
          (Video played.)
     BY MS. HOFFMAN:
23
          Do you recognize this person here (indicating)?
24
25
          Yeah.
                 That's Gutta.
     Α.
```

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```
(Video played.)
 1
              MS. HOFFMAN: I'm just going to go back and play the
 2
     last five-or-so seconds again.
 3
          (Video played.)
 4
 5
     BY MS. HOFFMAN:
          Just to be clear, did Gutta know that you were going to do
 6
     that?
 7
 8
          Yes.
     Α.
 9
          And did he tell you to do that?
10
     A.
         Yes.
11
          And did he reward you for doing that?
          In a way, I guess.
12
     Α.
          I want to direct your attention to October 18th of 2012,
13
     Q.
     so three days after the shooting of Snook.
14
15
          Did you meet up with other members of MMP to go to the
16
     club that night?
17
          Yes.
     Α.
18
          Who did you meet up with?
          Bo and Gutta, went to Norma Jean's.
19
     Α.
20
          Did you say Norma Jean's?
          Uh-huh.
21
     Α.
22
          And what's Norma Jean's?
23
          It's a strip club downtown.
     Α.
          And do you recall what you were wearing when you met up
24
25
     with them?
```

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- 1 A. My Murdaland Mafia sweatshirt.
- 2 Q. And I guess I should back up. Have you since seen video
- 3 footage of that meeting?
- 4 **A.** Yes.
- 5 Q. And you said you were wearing your Murdaland Mafia
- 6 | sweatshirt?
- 7 **A.** Yes.
- 8 Q. How did you get that hoodie?
- 9 A. Actually, Gutta got it made for me when I first came home.
- 10 Q. I'm going to show you Government's Exhibit SF-2.
- 11 (Video played.)
- 12 BY MS. HOFFMAN:
- 13 Q. Can you tell who that is.
- 14 A. That's me and Gutta.
- 15 **Q.** And what is Gutta -- what is Gutta wearing?
- 16 A. A hoodie that says "5200GMB."
- 17 **Q.** And what are you wearing?
- 18 A. A Murdaland Mafia hoodie.
- 19 **Q.** And whose car is that?
- 20 A. That's Gutta's.
- 21 Q. And this is -- well, was this his car in 2012?
- 22 **A.** Yes.
- 23 | Q. And who is that who's walking up to you now?
- 24 **A.** Bo.
- 25 Q. Do you remember what you were doing in his car?

- I don't recall. 1 Α. I'm going to skip ahead to 6 minutes and 35 seconds into 2 the video. 3 (Video played.) 4 5 BY MS. HOFFMAN: 6 And is that Gutta's car pulling out? 7 Α. Yes. Let me see if I can get a good shot of the license plate. 8 9 Can you read it? No, not -- I could right before this. 10 11 (Video played.) BY MS. HOFFMAN: 12 13 Can you read the license plate? 9858. 14 Α. 15 Can you see what the three -- it's okay if you can't, what 16 the three digits are before that. It's fine if you can't see 17 it. No, not really. 18 19 I want to fast-forward about a month to November of 2012. 20 Were you familiar with an individual named Antoine Ellis 21 who went by the name Poopy?
- 25 A. That's Poopy.

22

23

24

Α.

Yes.

Who's that?

Was -- I'm going to show you Government's Exhibit IND-28.

- 1 Q. And was Poopy a member of MMP?
- 2 **A.** Yes.
- 3 Q. Did there come a time when Poopy was killed?
- 4 **A.** Yes.
- 5 Q. Tell us what happened to Poopy.
- 6 A. Well, he was killed on Thanksgiving morning of 2012, and
- 7 | that's --
- 8 Q. Why was he killed?
- 9 A. From what Gutta told me, he was supposed to be playing
- 10 both sides of the fence. And he -- I think he lived in a BGF
- 11 | neighborhood. And they were saying when he was down there with
- 12 them, he was acting like a BGF. And then when he come around
- 13 | Windsor Mill and Forest Park, he was acting like a mobster.
- 14 Q. And what is BGF?
- 15 **A.** Black Guerilla Family, which at the time was our enemy.
- 16 **Q.** Is it another gang?
- 17 **A.** Yes.
- 18 Q. And I didn't mean to cut you off.
- 19 So why was Poopy killed?
- 20 A. Because they said that he was playing both sides.
- 21 Q. And what did Gutta tell you about that? As a result of
- 22 | that, what did Gutta tell you?
- 23 A. He wanted me to kill him.
- 24 Q. And did he, in fact, tell you to kill him?
- 25 **A.** Yes. He just said that I want you to take care of

- 1 somebody for me.
- I said, "All right. Who is it?"
- 3 He said, "It's a mobster." Then he told me that it was
- 4 Poopy, and then he told me the reason why.
- 5 | Q. Did you end up killing him?
- 6 **A.** No.
- 7 **Q.** What happened?
- 8 A. Gambino ended up doing it first, so we ended up going to a
- 9 | club that night. He just said, "Never mind."
- 10 And then next thing I know, he was dead.
- 11 Q. Did you find out about it from Gambino afterward?
- 12 **A.** Yes.
- 13 Q. And what did Gambino tell you?
- 14 A. He just said that he already -- he handled that first.
- 15 Q. Did he tell you -- did he tell you anything about it,
- 16 about the murder?
- 17 | A. I really -- I just know it was -- I think he was shot with
- 18 | a 9. And that's what Bino was carrying at the time, a
- 19 9-millimeter Ruger. And he was killed on the field across from
- 20 the BP gas station.
- 21 Q. And is that the BP gas station in the 5200 block of
- 22 | Windsor Mill Road?
- 23 **A.** Yes.
- 24 | Q. So did you also hear about it from -- or did you hear
- 25 | about it from Gutta afterward?

- If I could recall correctly, he just said it was already 1 A. tooken care of. As a matter of fact, no. I asked him like, 2 Why -- why you ain't get me to do that? 3 He was just laughin' like it's already taken care of. 4 5 You mentioned that Bino used a 9-millimeter gun to kill 6 Poopy; is that what you said? Uh-huh. 7 Α. A 9-millimeter Ruger; is that right? 8 9 Α. Yes. And did you learn anything about where that gun came from? 10 11 From what I understood, it was Bo's and he was supposed to Α. have got rid of it, 'cause Gutta asked him where it was at. 12 And he said --13 MS. AMATO: I'm going to object. Foundation at this 14 15 point. 16 THE COURT: Sustained. 17 Explain where the understanding --MS. HOFFMAN: Sure. 18 Yeah. BY MS. HOFFMAN: 19 Who did you hear about the gun from? 20 From Gambino, Bo -- Bo let him hold it. He told me that. 21 Α. 22 And I believe you were beginning to describe -- recount a
- 25 said -- he said, "Man, that shit gone."

conversation that you overheard between Gutta and Bo?

23

24

Yeah. He -- he just asked him where it was at, and he

- 1 **Q.** And --
- 2 A. Said, listen, it's in a lake or something like that or a
- 3 river or something.
- 4 | Q. And who -- who's the "he"? Who asked what happened to the
- 5 gun?
- 6 A. Gutta asked what happened to the gun.
- 7 **Q.** And who replied that it's gone?
- 8 **A.** Bo.
- 9 Q. I want to fast-forward now to January of 2013, so a few
- 10 months -- a few months later.
- Were you involved in another shooting that month?
- 12 **A.** I was.
- 13 **Q.** And was there someone else in the gang who was involved
- 14 | with you?
- 15 A. Yes; Gutta's brother, SP.
- 16 Q. And can you tell us what happened.
- 17 **A.** Basically, he was just going to make a drug sale to --
- 18 | what it looked like to me, the dude cut him off. And he sped
- 19 up. He was just like, What the fuck?
- 20 And they --
- 21 | Q. Let me just unpack that a little bit.
- 22 Were you in -- where were you with SP at the time?
- 23 A. Well, we were all at Gutta's house, and he got a call to
- 24 | go make a drug sale. So I just went and rode with him. We
- 25 were both strapped.

- 1 Q. Who was driving?
- 2 A. SP was.
- 3 Q. And what car was it?
- 4 A. It was an Infiniti truck.
- 5 **Q.** And where were you sitting?
- 6 A. I was in the passenger seat.
- 7 | Q. And you said you were both strapped. And I believe you
- 8 testified earlier that means you both had guns?
- 9 **A.** Yes.
- 10 Q. And where did those guns come from?
- 11 A. I stole mine from a burglary, and I don't know where he
- 12 | got his from.
- 13 | Q. And what kind of gun did you have, if you remember?
- 14 A. I think it was a .40 at that time.
- 15 **Q.** And you had stolen it in a burglary, you said?
- 16 **A.** Yes.
- 17 | Q. So you said you were coming from Gutta's house; is that
- 18 right?
- 19 **A.** Yes.
- 20 Q. And I believe you said SP was going to hit a sale. What
- 21 | does that mean?
- 22 **A.** To sell drugs.
- 23 Q. And then you started to explain that a dude pulled up on
- 24 you? What do you mean by that? Can you explain what happened.
- 25 | A. Like, he sped past. Like, he cut him off. So he just

- 1 | sped up to, you know, see who it was or what was going on or
- 2 whatever. And then they ended up side by side.
- 3 | Q. Which side -- which side did you pull up on or did SP pull
- 4 up on?
- 5 A. He pulled up on his driver's side.
- 6 Q. Was this -- were you stopped at this point? Did you stop
- 7 | at a light?
- 8 A. We were at a stop sign.
- 9 **Q.** And were there words exchanged?
- 10 A. It was like -- like "What's up?" back and forth. Like
- 11 "What's up?"
- 12 "What's up?"
- Type of, you know, aggressive "What's ups?"
- 14 Q. Did you know, had you ever seen that man before?
- 15 **A.** No.
- 16 **Q.** Did you know who he was?
- 17 **A.** No.
- 18 | Q. Did you believe that SP knew who he was?
- 19 A. I don't know. At the time I didn't even think about it.
- 20 **Q.** And so you said there were some aggressive "What's ups?"
- 21 exchanged?
- 22 **A.** Yeah.
- 23 **Q.** And then what happened?
- 24 | A. And then SP pulled out and started shootin', and then I
- 25 | pulled out and started shootin' as well.

- 1 **Q.** And why did you start shooting?
- 2 A. Because the homie was shootin', and that's Gutta brother.
- 3 And I know I got to -- I got to ride with him.
- 4 Q. Did you have any idea what this guy had done to provoke --
- 5 **A.** No.
- 6 Q. -- SP shooting?
- 7 Did you have any reason to shoot at him other than SP
- 8 | shooting at him?
- 9 **A.** No.
- 10 Q. Did you fire your gun more than once?
- 11 **A.** Yes.
- 12 Q. Did you see whether the guy in the other car had a gun?
- 13 **A.** No.
- 14 Q. Did you see whether there was anyone else in his car?
- 15 **A.** No.
- 16 **Q.** Did you hit anyone?
- 17 **A.** No.
- 18 Q. Were you hit?
- 19 **A.** Yes.
- 20 Q. Explain.
- 21 | A. Well, I was shootin' out the window. He was shootin'
- 22 | across me, and I got shot through the wrist.
- 23 | Q. I believe you mentioned earlier that you're left-handed?
- 24 **A.** Yes.
- 25 | Q. And you said you had pulled up on the left-hand side of or

- 1 | the driver's side of the victim's car; is that right?
- 2 **A.** Yes.
- 3 **Q.** And you were in the passenger seat?
- 4 **A.** Yes.
- 5 Q. So were you shooting with your left hand out the window?
- 6 **A.** Yes.
- 7 Q. And where were you shot?
- 8 A. In through the wrist and it came out my hand.
- 9 Q. And did SP hit you intentionally or accidentally?
- 10 A. No. I think it was accidentally.
- 11 Q. Did you go to the hospital afterward?
- 12 **A.** Yes.
- 13 **Q.** What hospital did you go to?
- 14 A. I think it was Northwest. It was -- it was in the county.
- 15 **Q.** And were you treated for the gunshot wound to your wrist,
- 16 | your left wrist?
- 17 **A.** Yes.
- 18 | Q. I believe you said a minute ago when you were shooting,
- 19 | did you see whether there was anyone else in the car?
- 20 A. No. I just thought it was him.
- 21 Q. Did you later come to learn that there was someone in the
- 22 car with him?
- 23 **A.** Yes.
- 24 Q. Did you later come to learn that there was a 2-year-old
- 25 | child in the back of his car?

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- 1 **A.** Yes.
- 2 Q. Were you arrested shortly after that shooting?
- 3 **A.** I was.
- 4 | Q. And was that for -- were you initially arrested -- was it
- 5 for a parole violation?
- 6 **A.** Yes.
- 7 Q. Were you eventually charged with the attempted murder of
- 8 Terrell Gale and Khamani Gale?
- 9 **A.** Yes.
- 10 Q. And were those the two individuals in the car who you shot
- 11 at?
- 12 **A.** Yes.
- 13 Q. Did you know them by their name?
- 14 A. No.
- 15 **Q.** By their names?
- 16 How did the police trace the shooting back to you?
- 17 | A. I was a suspect in the burglary. It was a police
- 18 officer's house, and I was a suspect.
- 19 **Q.** Was SP ever arrested for that shooting?
- 20 A. Not that I know of, no.
- 21 **Q.** Did you ever talk to him about it afterward?
- 22 **A.** When I came home.
- 23 | Q. What did he say about it?
- 24 **A.** He really didn't say too much. He just gave me \$500.
- 25 **Q.** And what was your understanding of why he gave you that

- 1 money?
- 2 A. Just as a welcome home.
- 3 Q. Did you ever learn why SP started shooting at the guy?
- 4 **A.** No, not really.
- 5 Q. Now, you mentioned that you were interviewed -- or I'm
- 6 sorry.
- 7 You mentioned that you were arrested shortly after the
- 8 | shooting; is that right?
- 9 **A.** Uh-huh.
- 10 Q. And were you interviewed?
- 11 **A.** Yes.
- 12 Q. Were you interviewed by police? I should say.
- 13 **A.** Yes.
- 14 Q. Did you tell the truth about what happened?
- 15 **A.** No.
- 16 **Q.** What did you tell the police initially?
- 17 A. I -- I told 'em some story about I was walkin' from the
- 18 | bus stop and somebody pulled up on me and started shootin'.
- 19 **Q.** Did you make that up?
- 20 **A.** Yes.
- 21 **Q.** Why did you lie about what had happened?
- 22 **A.** Because I didn't want to go to jail.
- 23 Q. Did there come a time when you decided to plead guilty and
- 24 | cooperate with law enforcement?
- 25 **A.** Yes.

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- 1 Q. Why did you decide to cooperate?
- 2 A. Because I -- for one, I didn't want to go to jail. And
- 3 | then just after how everything was just going with life in
- 4 general, I wanted out of the gang.
- 5 Q. You wanted to get out of the gang?
- 6 **A.** Yes.
- 7 | Q. Why couldn't you just leave the gang?
- 8 A. Because there's no just leaving. They'll kill you.
- 9 **Q.** Why couldn't you just move away?
- 10 A. I didn't have any money to just move away. I'm just
- 11 recently released from jail. I was on parole, trying to piece
- 12 | my life back together. And I was already going down the wrong
- 13 path again.
- 14 Q. Did you agree to meet with state prosecutors and provide
- 15 information?
- 16 **A.** I did.
- 17 | Q. And when you met with them, did you admit to shooting at
- 18 | the people in the other car?
- 19 **A.** Yes.
- 20 **Q.** Did you ultimately sign a cooperation agreement with the
- 21 | Baltimore City State's Attorney's Office?
- 22 **A.** Yes.
- 23 | Q. And just to be clear, was it state prosecutors who you
- 24 | were dealing with back then?
- 25 **A.** Yes.

- 1 Q. Did you plead guilty to the attempted murder of Terrell
- 2 | and Khamani Gale?
 - A. I did.

3

- 4 Q. And as part of the plea, did you agree to assist the
- 5 authorities in the investigation and prosecution of others?
- 6 **A.** Yes.
- 7 | Q. Did you agree to register as a confidential informant with
- 8 | the Baltimore Police Department?
- 9 **A.** Yes.
- 10 Q. And, also, just to be clear, were you locked up during
- 11 | this time? Were you incarcerated?
- 12 **A.** Yes.
- 13 Q. What was your understanding of what you would get in
- 14 exchange under this plea agreement?
- 15 A. Basically, just get probation.
- 16 Q. Did you say -- when you say "probation," had you served --
- 17 | had you served some amount of time already?
- 18 **A.** Yes.
- 19 Q. Do you remember how long -- how much time you served?
- 20 **A.** Roughly about two years, close to two years.
- 21 | Q. And so it was your understanding that you would get
- 22 | time served, two years, and then probation?
- 23 **A.** Yes.
- 24 Q. Was there a suspended sentence involved?
- 25 A. A 20-year sentence.

- 1 Q. And what does it mean -- what did it mean that you had a
- 2 | 20-year suspended sentence?
- 3 A. Well, a 20-year suspended sentence with 18 months'
- 4 probation means that if I violate the probation within that
- 5 | 18 months, I'll get the 20 years that was over my head.
- 6 Q. As part of your cooperation agreement with the state
- 7 | prosecutors, did you assist in a corruption investigation?
- 8 **A.** Yes.
- 9 Q. Did you provide information about a corrupt correctional
- 10 officer in the jail where you were housed?
- 11 **A.** Yes.
- 12 Q. Did you help arrange a delivery of drugs to that
- 13 | correctional officer to be smuggled into the jail?
- 14 **A.** Yes.
- 15 **Q.** And were you successful?
- 16 **A.** Yes.
- 17 | Q. Was that correctional officer arrested?
- 18 **A.** Yes.
- 19 Q. Did you also provide information about
- 20 | Murdaland Mafia Piru to state prosecutors --
- 21 A. Yes, I did.
- 22 **Q.** -- and investigators?
- Did you provide some truthful information about the gang?
- 24 **A.** Yes.
- 25 **Q.** Was all the information that you gave the state

- 1 prosecutors and investigators truthful?
- 2 A. Everything was true except for the shooting that I did and
- 3 said that I didn't do.
- 4 | Q. Did you also lie about where the gun came from?
- 5 A. Oh, the .40-caliber? Yes, I did.
- 6 Q. What did you -- so you said you lied about the Mirage
- 7 | shooting?
- 8 A. I lied about the Mirage shooting, and I lied about where
- 9 the .40-caliber came from.
- 10 Q. And what did you tell them about the Mirage shooting?
- 11 A. I said that Bangout did it.
- 12 Q. And Bangout -- I'm going to show you Government's
- 13 Exhibit IND-27.
- Who's that?
- 15 A. That's Bangout.
- 16 Q. And was he a member of MMP?
- 17 **A.** Yes.
- 18 | Q. And I believe you testified earlier that Bangout was the
- 19 getaway driver for --
- 20 **A.** Yes.
- 21 **Q.** -- the shooting?
- 22 **A.** Uh-huh.
- 23 | Q. Why Bangout? Why did you tell them it was Bangout?
- 24 | A. Well, the spur of the moment, I just felt like we were
- 25 | both involved, so I wasn't blaming an innocent person. And I

- 1 | didn't think that I gave them enough to charge him.
- 2 Q. And what do you mean by that; you don't think you gave
- 3 | them enough to charge him?
- 4 A. I just told them that basically the streets were talkin'
- 5 | and I heard -- I heard it. I didn't say I saw it or he told me
- 6 or anything.
- 7 **Q.** Were you worried that he was going to get arrested?
- 8 A. Not at the time. I didn't think that he could.
- 9 Q. Bangout didn't commit that shooting, did he?
- 10 **A.** No.
- 11 **Q.** You committed that shooting?
- 12 **A.** I did.
- 13 Q. That was a pretty big lie, wasn't it?
- 14 **A.** It was.
- 15 Q. And Bangout was your friend; right?
- 16 **A.** He was.
- 17 | Q. So you blamed a shooting that you committed on your
- 18 | friend?
- 19 **A.** Yes.
- 20 **Q.** As part of the plea agreement that you signed, did you
- 21 represent that you had fully and truthfully responded to all
- 22 | questions put to you by law enforcement authorities during
- 23 | prior interviews?
- 24 A. No, not fully, no.
- 25 Q. Sorry. The question is: Did you sign an agreement --

```
Oh, yes.
 1
     A.
         -- saying that you had?
 2
          Yes, I did.
 3
     Α.
 4
          And was that true?
     A.
 5
          No.
 6
          So when you signed that agreement, that was -- that was a
     lie?
 7
 8
     Α.
          Yes.
          At a certain point, did you write a letter to the state
 9
     prosecutor asking for your freedom?
10
11
     A.
          Yes.
          And in that letter, did you say -- well, actually, let me
12
     approach, if I may, and show you for identification only
13
     Government's Exhibit MISC-10.
14
15
              THE CLERK:
                          MIS --
16
              THE COURT:
                          MIS what?
17
              THE CLERK:
                          MISC --
18
              MS. HOFFMAN: MISC-10.
19
              THE CLERK:
                           Thank you.
20
     BY MS. HOFFMAN:
21
          (Handing.)
     Q.
          In the letter -- well, first of all, do you recognize what
22
     you have in front of you?
23
24
     Α.
          Yes.
25
          What is it?
```

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- 1 A. It's a letter that I wrote to Dana Middleton.
- 2 Q. Was she the state prosecutor on your case?
- 3 **A.** Yes.
- 4 | Q. And in the letter, did you say [reading]: I'm writing you
- 5 | this letter to basically beg for my freedom?
- 6 **A.** Yes.
- 7 | Q. Did you say [reading]: I've been incarcerated for two
- 8 | years now in these harsh and inhumane conditions?
- 9 **A.** Yes.
- 10 Q. Did you say [reading]: My 65-year-old mother is currently
- 11 | ill and suffers from diabetes and a bad heart?
- 12 **A.** Yes.
- 13 **Q.** Did you say . . .
- 14 Did you say [reading]: I have done everything that I
- 15 possibly could thus far to cooperate and assist the state in
- 16 | any and every way possible, dating back to April 26th of last
- 17 | year at our very first proffer session?
- 18 **A.** Yes.
- 19 Q. Did you say [reading]: I still haven't received any type
- 20 of help on my end. It seems like all my cries and pleas are
- 21 | always falling on deaf ears?
- 22 **A.** Yes.
- 23 | Q. Did you say [reading]: I'm begging you, please, make the
- 24 difference this time?
- 25 MS. WHALEN: Your Honor, if I can object to the

```
leading and, also, the document speaks for itself.
 1
                                                          If the
     Government wants to move it into evidence . . .
 2
              THE COURT: Okay. If you want him to -- if you want
 3
     him to just read it, if you want to finish it.
 4
 5
              MS. HOFFMAN: Sure. I have just one more question --
              THE COURT: Okay.
 6
 7
              MS. HOFFMAN: -- about the letter.
              THE COURT: The last sentence or what?
 8
 9
              MS. HOFFMAN: Yeah. If that's okay.
              THE COURT: Go ahead.
10
11
     BY MS. HOFFMAN:
          Did you say [reading]: I got you the arrest you wanted.
12
13
     And upon my release, there will be plenty more to come.
     quarantee that?
14
     A.
15
          Yes.
16
          When you said, "I got you the arrest you wanted," what
17
     arrest were you referring to?
          To the correctional officer.
18
     Α.
          And what did you mean when you said, "There will be plenty
19
     more to come. I quarantee that"?
20
          That I'll continue to cooperate when I get on the street.
21
     Α.
22
          And what did you understand you would be doing in terms of
23
     cooperating?
24
          Whatever was necessary.
```

And what do you mean by "whatever was necessary"?

25

- 1 | were you planning to do?
- 2 **A.** Anything that was asked of me from her. If I had to make
- 3 controlled buys, if I had to continue to give information,
- 4 basically anything, the things that I was asked to do.
- 5 | Q. Were you intending to frame innocent people?
- 6 **A.** No. No.
- 7 Q. Well, what about Bangout; were you intending to frame
- 8 Bangout?
- 9 A. At the time I didn't think that Bangout would be arrested
- 10 at all. I did give misinformation, and it was wrong. But I
- 11 | didn't think he can get locked up for it.
- 12 Q. When you said in this letter that you'd done everything
- 13 you possibly could, that wasn't exactly true, was it?
- 14 | A. Well, under the circumstances from behind the walls of
- 15 | what she was asking me to do, I did.
- 16 Q. But you had lied about --
- 17 A. Right.
- 18 Q. -- the shooting?
- 19 **A.** I did.
- 20 **Q.** And the state prosecutors who you were dealing with, did
- 21 | they know that you were the actual shooter?
- 22 **A.** No.
- 23 | Q. After you sent that letter, did the state prosecutors
- 24 | agree to recommend that you be released shortly after that?
- 25 **A.** Yes.

- 1 Q. And what sentence did you ultimately receive?
- 2 A. A 20-year suspended sentence with 18 months' probation.
- 3 Q. Were you released around mid December of 2014?
- 4 **A.** Yes.
- 5 | Q. And how long had you been in jail?
- 6 A. Close to two years.
- 7 | Q. Did you work as a confidential informant with the
- 8 | Baltimore Police Department after your release?
- 9 **A.** I did.
- 10 Q. And did you later register as a confidential informant
- 11 | with the Bureau of Alcohol, Tobacco, Firearms & Explosives --
- 12 **A.** I did.
- 13 **0.** -- ATF?
- 14 **A.** Yes.
- 15 Q. Was that in February of 2016?
- 16 | A. I can't remember the exact month, but I know it was
- 17 | shortly after I was released.
- 18 | Q. Did you -- were you a confidential informant for BPD
- 19 before you were a confidential informant for ATF?
- 20 **A.** Yes.
- 21 | Q. What were you hoping to get out of being a
- 22 | confidential informant?
- 23 | A. Out of the gang at the time. I mean, I already -- I came
- 24 | home with that mind-set. I already had the suspended sentence.
- 25 And they even told me, you know, We don't have any quarantee

- 1 | that you'll even continue to work, you know. And I still did.
- 2 Oh, and money.
- 3 **Q.** And did you get paid?
- 4 **A.** I did.
- 5 Q. Do you know about how much you got paid?
- 6 A. From what agency?
- 7 | Q. Let's talk about the Baltimore Police Department, first.
- 8 So you said you got out December of 2014; is that right?
- 9 **A.** Yes.
- 10 Q. And were you a CI with them until your arrest in this
- 11 case?
- 12 **A.** No. I switched to a ATF informant before that.
- 13 Q. Okay. Can you -- about when did your -- about when did
- 14 | you stop being a CI for BPD and switch to ATF, if you remember?
- 15 **A.** Maybe March. Maybe February or March.
- 16 **Q.** Of 2016?
- 17 **A.** I think 2015.
- 18 **Q.** Is it possible it was 2016?
- 19 **A.** It's a possibility, yes.
- 20 MR. SARDELLI: Objection; leading, Your Honor.
- 21 **THE COURT:** I don't think it's disputed. Overruled.
- 22 BY MS. HOFFMAN:
- 23 | Q. So how much did you make from the Baltimore Police
- 24 Department in that time frame, approximately, if you remember?
- 25 **A.** I don't recall exactly, but roughly maybe 7,000.

- 1 Q. Could it have been a little less than that?
- 2 MS. WHALEN: Objection.
- 3 THE COURT: Sustained. He thinks it was 7,000.
- 4 BY MS. HOFFMAN:

saying?

8

- 5 | Q. And how much did you make approximately from ATF?
- 6 A. I don't recall. Maybe -- maybe four. Maybe four fifty.
- 7 Q. And when you say "four," 4,000, is that what you're
- 9 A. Right. 4500, actually, yeah.
- 10 Q. So you said that you wanted to get out of the gang.
- 11 Didn't you go right back to hanging out with the same people?
- 12 A. Yes; but I was told that I had to to get information. I
- 13 | couldn't just be away and out of the loop, that it would be
- 14 suspicious and, you know, I wouldn't be able to find anything
- 15 out.
- 16 Q. Why couldn't you just tell the authorities, Hey, I don't
- 17 | want to be in this gang anymore?
- 18 A. Can you repeat the question.
- 19 Q. Why couldn't you just tell the authorities, Hey, I don't
- 20 want to be in this gang anymore?
- 21 A. I don't -- the authorities don't -- what would that do? I
- 22 | would still be killed by the gang members. You know, they
- 23 can't take me out the gang.
- 24 Q. Have you ever known anyone to get out of MMP?
- 25 **A.** The only person that I -- I knew to get out, to my

- 1 understanding, was Tech. And he grew up with those guys. I
- 2 | didn't. So it wouldn't be the same scenario.
- 3 Q. And you -- I think you testified earlier that Tech joined
- 4 BGF later on; is that right?
- 5 **A.** Yes.
- 6 Q. Did you have other forms of income at the time?
- 7 | A. At the time I was selling dope, from time to time selling
- 8 Molly, and that was really it until I got a job a little later
- 9 on.
- 10 Q. And when you registered as a confidential informant with
- 11 | the Baltimore Police Department and with ATF, did you agree not
- 12 to commit any crimes?
- 13 **A.** I did.
- 14 Q. And you didn't follow through on that promise, did you?
- 15 **A.** No.
- 16 Q. Did you also agree to provide truthful information to
- 17 | law enforcement about your criminal activities and the criminal
- 18 | activities of others?
- 19 **A.** I did.
- 20 **Q.** Did you provide some truthful information?
- 21 **A.** Yes.
- 22 **Q.** What about the Mirage shooting; what did you say when you
- 23 | were asked about that?
- 24 | A. I said it wasn't me. It was Banqout. I heard it was
- 25 Bangout.

- 1 Q. So you didn't follow through on that promise either?
- 2 **A.** No.
- 3 Q. What kinds of things did you do to assist the
- 4 investigation of others?
- 5 A. Well, I was given a monitored phone or tapped phone.
- 6 Anytime somebody changed their number, I gave them the new
- 7 numbers.
- I made controlled buys, a machine gun. I bought drugs,
- 9 gave 'em consistent information about all type of different
- 10 stuff. I was present during a murder and told 'em about that
- 11 later on.
- 12 Q. We'll come back to that.
- Did you tell -- did you tell authorities that you were
- 14 | dealing drugs?
- 15 **A.** No.
- 16 Q. Did you also possess firearms during that time period that
- 17 | you were a CI?
- 18 **A.** Yes.
- 19 Q. Did you tell them that you possessed firearms --
- 20 **A.** No.
- 21 **Q.** -- during that time period?
- 22 And you said that you witnessed a murder.
- 23 Did you tell them about that murder right away?
- 24 A. No.
- 25 Q. In some ways were you still functioning as a member of

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MMP? 1 2 I was a double agent. Α. And can you explain what you mean by that. 3 Q. I was playing both sides of the fence. I was -- I was 4 5 workin' with the feds, and I was still actively doing gang things. 6 7 And why? Did you set out intending to be a double agent? Q. Α. No. 8 MR. HAZLEHURST: Objection. Relevance, Your Honor. 9 THE COURT: Overruled. 10 11 BY MS. HOFFMAN: 12 Can you explain. 13 Well, I initially wanted to get out of the gang. I knew that I had to give them some stuff to start puttin' guys away, 14 15 which wasn't the problem. 16 The problem was that nobody would feel comfortable doing 17 certain things around me or even talking to me or around me if I just disappeared for weeks or a month and then just popped 18 back up asking questions or trying to stand around. So I had 19 to be in the mix. I had to be around, you know. 20

And they used to seeing me with a gun.

21

22

23

24

25

Why you ain't strapped? You know we beefin' right now.

Why you not trappin' no more? How you gettin' money?

You know, so it was just like I had to -- I had to continue to play to some degree the street due. And I just --

- 1 I got pulled in too deep.
- 2 Q. Did your double dealing catch up with you?
- 3 A. It definitely caught up with me.
- 4 Q. Did you get caught?
- 5 **A.** Yes.
- 6 Q. I want to talk about August 26th of 2016. Were you
- 7 | arrested by ATF agents on that day?
- 8 **A.** I was.
- 9 Q. How did the arrest happen?
- 10 A. I gave them some prior information, and they called me in
- 11 like they were going to give me some money, to meet with me,
- 12 like we normally do.
- And I came in to meet with 'em, and they served me with a
- 14 | warrant for my arrest for the attempted murder charge. They
- 15 | found out I lied about it. They identified me on the video,
- 16 and they searched my house and found firearms and drugs.
- 17 | Q. When they arrested you, did they give you your
- 18 | Miranda rights?
- 19 **A.** Yes.
- 20 **Q.** And did you participate in a recorded interview?
- 21 **A.** Yes.
- 22 Q. I want to ask you about that interview.
- 23 First of all, did the ATF investigators, did they search
- 24 you when you came in the door?
- 25 **A.** Yes.

- 1 Q. And to be clear, you thought you were coming to collect
- 2 payment; is that right?
- 3 **A.** Yes.
- 4 Q. And when they searched you, what did they find on you?
- 5 A. I had some heroin on me.
- 6 Q. So you walked into a meeting with law enforcement with
- 7 heroin on you?
- 8 **A.** Yes.
- 9 Q. Why would you do that?
- 10 **A.** I honestly was really high, and I forgot it was in my
- 11 pocket.
- 12 Q. At that time were you using heroin?
- 13 **A.** Yes.
- 14 Q. About how much heroin were you using at that time?
- 15 **A.** Sometimes a gram a day.
- 16 | Q. Would you say that you had developed a dependency?
- 17 **A.** Yes.
- 18 Q. Did you need heroin to feel normal?
- 19 **A.** Yes.
- 20 Q. Did it affect your judgment at times?
- 21 A. No, not really.
- 22 Q. Did it cause you to hallucinate or imagine things that
- 23 | weren't real?
- 24 A. No.
- 25 **Q.** The things that we've talked about so far, do you remember

- 1 them clearly?
- 2 **A.** Yes.
- 3 Q. When you were confronted with the fact that the ATF
- 4 investigators knew that you had shot Snook at the Mirage, did
- 5 you confess immediately?
- 6 A. No. I denied.
- 7 Q. You doubled down?
- 8 A. I doubled down.
- 9 Q. Did you panic?
- 10 MS. WHALEN: Objection.
- 11 **THE COURT:** Sustained. That's really a little bit too
- 12 much leading, Ms. Hoffman.
- 13 BY MS. HOFFMAN:
- 14 Q. Tell us what happened in your own words.
- 15 A. I wanted to get high. I was stressed out. I couldn't
- 16 | believe all of it was happening. The drugs was sittin' there
- 17 | in front of me. I asked 'em for a hit, you know. And I asked
- 18 'em a lot, so . . .
- 19 **Q.** What did they say?
- 20 A. They said, No. It would -- it would make them criminals,
- 21 | and they can't do that, telling me basically to pull myself
- 22 together.
- 23 Q. Did they continue to question you about the Mirage
- 24 | shooting?
- 25 **A.** Yes.

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- Did you ultimately confess? 1 Q. 2 Yes. Α. Why did you ultimately confess? 3 I felt like it was over. You know, it was -- yeah, he 4 5 told me straight up this is the last chance you going to get to be honest about everything or you going down with the ship. 6 7 And to put my life on the line and be stupid again when I already lied before, I might as well just, you know, been 8 honest. 9 So I just -- I gave it all up, put it all out there on the 10 11 table, and it will be what it will be. 12 Q. Were you --13 THE COURT: Ms. Hoffman, let me know when we're at a good breaking point. 14 MS. HOFFMAN: Sure. If I could have just a second 15 16 with co-counsel? 17 THE COURT: Sure. Yes. (Counsel conferred.) 18 MS. HOFFMAN: Your Honor, this is a fine stopping 19 point if you want to take up tomorrow. 20 THE COURT: All right. Ladies and gentlemen, thank 21
 - THE COURT: All right. Ladies and gentlemen, thank you very much. We're excusing you for today with the usual instructions. Keep an open mind. Don't talk about the case. Leave your notes here.

22

23

24

25

If you could come back at 9:45 tomorrow, 9:45. We'll

```
try to get started a little bit early.
 1
 2
              We'll excuse the jury.
          (Jury excused at 5:53 p.m.)
 3
              THE COURT: And if this is a good moment to excuse the
 4
 5
     witness?
              MS. HOFFMAN: Yes, it is. Thank you.
 6
 7
          (Witness excused.)
                         Counsel, any urgent issue at the moment?
              THE COURT:
 8
 9
          (No response.)
                         All right. We can excuse the gallery.
10
              THE COURT:
11
              MR. DAVIS:
                         Mr. Frazier has asked me to inquire as
     whether or not there is a separation order between him and the
12
     other co-defendants.
13
              Now, I think there is one with respect to Mr. Bailey.
14
15
     He tells me they're transported all together back to the jail,
16
     but they're separated downstairs. And I just -- I bring it to
17
     the Court's attention.
              Also, as I was riding in the cab to the courthouse
18
     this morning, I bought a ticket through Amtrak and I arrive
19
20
     tomorrow at 9:21. It took me 15 minutes to get from
     Penn Station to the courthouse this morning. I've got 25
21
     tomorrow, but when I did -- when I bought that ticket, I did it
22
23
     with my eye on the 10 o'clock, but I think I will be here.
              THE COURT: Sure. Okay. I appreciate it. Just do
24
25
     your best.
```

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```
Okay. And I'll see the marshal for a moment.
1
 2
         (Pause.)
             THE COURT: All right. We'll be adjourned for the
 3
 4
    evening. See you at 9:45.
 5
         (Court adjourned at 5:57 p.m.)
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10
11
         I, Douglas J. Zweizig, RDR, CRR, do hereby certify that
12
    the foregoing is a correct transcript from the stenographic
13
    record of proceedings in the above-entitled matter.
14
15
                       /s/
16
                  Douglas J. Zweizig, RDR, CRR, FCRR
                    Registered Diplomate Reporter
17
                     Certified Realtime Reporter
18
                    Federal Official Court Reporter
                       DATE: November 13, 2019
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